

MINUTES

OF THE

NATURAL RESOURCE COMMISSION

MEETING

MARCH 9, 2006

RATHBUN REGIONAL WATER ASSOCIATION
CENTERVILLE, IOWA

TABLE OF CONTENTS

Table of Contents	2
Meeting Minutes	1
Call to Order	1
Members Present.....	1
Members Absent	1
Approve Agenda	1
AGENDA APPROVED	1
Approve Minutes	1
NOVEMBER MINUTES CORRECTED	1
MARCH MINUTES APPROVED	2
Director's Remarks	2
Land Acquisition.....	2
Aldo Leopold WMA, Bremer County—Rundle, Warthan and Duffy.....	2
LAND DONATION APPROVED	3
Cedar Rock, Buchanan County—Kremer Exchange.....	3
LAND EXCHANGE APPROVED	4
Algific Talus Slope Area, Fayette County—Eric and Cindy Boehm	4
EASEMENT PURCHASE APPROVED	4
LaSoya Wildlife Management Area, Jackson County—Job's Trust	4
LAND ACQUISITION APPROVED	5
Coralville Lake/Hawkeye WMA, Johnson County—U.S. General Services Administration	5
LAND DONATION APPROVED	6
Construction Projects	6
Storm Lake, Buena Vista Co. – Casino Bay Marina Dredging	6
CONSTRUCTION PROJECT APPROVED	6
Pleasant Creek SRA, Linn Co. – Wastewater System Upgrade	6
CONSTRUCTION PROJECT APPROVED	7
Lost Grove Lake, Scott Co. – Causeway Construction	7
CONSTRUCTION PROJECT APPROVED	7
George Wyth State Park, Blackhawk Co. – Lodge Roof Replacement.....	8
CONSTRUCTION PROJECT APPROVED	8
CONSTRUCTION PROJECT APPROVED	9

Summerset State Park 28E Agreement	9
FACILITIES AGREEMENT APPROVED	9
Sand and Gravel Permits.....	9
PERMITS APPROVED.....	11
Honey Creek Destination State Park-Outside Counsel.....	11
AGREEMENT APPROVED	11
Honey Creek Destination State Park—Intent to Negotiate.....	11
RESORT CONSTRUCTION NEGOTIATIONS APPROVED	14
Greg Schjodt	15
David Taylor	15
Bill Duey	15
Kevin Kness	15
Notice of Intended Action—Chapter 52—Wildlife Refuges.....	15
NOTICE APPROVED	17
Notice of Intended Action—Chapter 91, Waterfowl and Coot Hunting Seasons	17
NOTICE APPROVED	19
Notice of Intended Action –Chapter 95, Game Harvest Reporting and Landowner-Tenant Registration.....	20
Laverne Woock.....	22
NOTICE APPROVED	23
John Tevis	23
Notice of Intended Action—Chapter 98, Wild Turkey Spring Hunting.....	23
NOTICE APPROVED	26
Notice of Intended Action –Chapter 106, Deer Hunting by Residents.....	26
NOTICE APPROVED	34
Notice of Intended Action—Chapter 107, Rabbit and Squirrel Hunting.....	34
NOTICE APPROVED	35
Notice of Intended Action—Chapter 108, Furbearer Trapping Seasons	35
Roger Hutton.....	37
Becca Rebarcak.....	37
George Scalf.....	37
John Frieden.....	37
NOTICE APPROVED	38
Final Rule—Chapter 40, Boating Speed and Distance Zoning	38
FINAL RULE APPROVED	40
Final Rule—Chapter 61, State Parks and Recreation Areas.....	40

FINAL RULE APPROVED	43
Concession Contract Renewal—Beed’s Lake State Park	43
CONTRACT APPROVED	44
Lake View Off-Highway Vehicle Park	44
OHV PARK APPROVED	44
Landowner Incentive Program Project	44
PROJECT APPROVED	45
Bat Roost Survey Contract	45
CONTRACT APPROVED	46
Contract with ISU—Effects of Commercial Harvest of Shovelnose Sturgeon	46
CONTRACT APPROVED	46
Agreement with Hungry Canyons Alliance	46
CONTRACT APPROVED	47
Appeal of Proposed Decision—Joseph W. Gorski	47
ALJ DECISION UPHELD	48
Conservation and Recreation Donations	48
DONATIONS APPROVED	49
Donation/Recognition Policy	49
DONATION AND RECOGNITION POLICY APPROVED	54
General Discussion	54
Next Meeting Dates	55
Adjournment	56

MEETING MINUTES

CALL TO ORDER

The meeting of the Natural Resource Commission was called to order by Chairperson Marcantonio at 8:30 a.m. on Thursday, March 9, 2006 at the Rathbun Regional Water Association, Centerville, Iowa.

MEMBERS PRESENT

Janice Marcantonio
Joan Schneider
Carol Kramer
Lennis Moore
Kim Francisco
Liz Garst

MEMBERS ABSENT

Randy Duncan

APPROVE AGENDA

It was noted that Item 27, Oak Resources informational item will be withdrawn from the agenda and presented at a later meeting.

Motion was made by Commissioner Francisco to approve the March 9, 2006 as amended. Seconded by Commissioner Garst. Motion carried unanimously.

AGENDA APPROVED

APPROVE MINUTES

Motion was made by Commissioner Moore to correct the minutes of November 2005, Chimney Rock Addition in Winneshiek County land acquisition item to read "purchase of 140 acres of land....for \$275,250." Seconded by Commissioner Schneider. Motion carried unanimously.

NOVEMBER MINUTES CORRECTED

Commissioner Marcantonio noted that the commissioners received a complaint objecting to the minutes not including specific comments about a staff member and that his comments were not quoted verbatim. She noted that generally the minutes report specific action with the discussions summarized. Remarks made during public participation, while occasionally copied verbatim, are

generally summarized. Chairperson Marcantonio reported that the policy of the commission has been to not print personal attacks on individual employees because the commission does not become involved in personnel matters.

Commissioner Francisco commented that Roberts Rules of Order indicates that meetings are not required to be verbatim.

Motion was made by Commissioner Schneider to approve the minutes of the February 9, 2006 Natural Resource Commission meeting. Seconded by Commissioner Moore. Motion carried unanimously.

MARCH MINUTES APPROVED

The commission thanked the Rathbun Regional Water Association for their help and support with the tour and information and the use of their facilities for the meeting. Also thanked were representatives of the Corps of Engineers and the local people for their support and help with regard to Honey Creek Resort State Park.

DIRECTOR'S REMARKS

Director Vonk remarked that today is a great day for the state of Iowa because of the progress made with regard to the construction of Honey Creek Resort Park. He applauded not only the local people, but also Arnie Sohn and commended and congratulated all who participated in allowing this project to move forward.

Director Vonk noted the list of season setting rules before the commission, setting in motion the scheduling of public comments. He mentioned the trapping season rules and noted the new species that have been successfully introduced, resulting in the request to implement a limited trapping season on otters. Vonk stated that he is not proposing a bobcat season this year in order to obtain more scientific, as well as public support.

LAND ACQUISITION

Linda Hanson, Administrator, Management Services Division, presented the following item.

Aldo Leopold WMA, Bremer County—Rundle, Warthan and Duffy

The Natural Resource Commission's approval is requested to accept a donation of a tract of land located in Bremer County, Iowa. This approximately 22 to 26-acre donation is offered by Wallace Rundle, Victoria Warthan, and Paula Duffy, who are the heirs of Dorothy and Milton Ponsar. The Ponsars previously donated an abandoned railroad right-of-way to the DNR that enhanced our access to the Little Buck WMA. The Aldo Leopold is one-half mile west of this property.

Jerry Gibson negotiated the donation.

The property is approximately 1.75 miles of abandoned railroad right-of-way starting at a point just east of Timber Avenue (on the west) to Buck Creek on the east end. A portion of the tract will provide critical access to the Aldo Leopold WMA, and the remainder has good winter cover for pheasants. One mile of the subject tract across Section 16 is immediately adjacent to a local gravel road (240th Street), and will provide excellent access for hunting and other forms of outdoor recreation. The tract still has the bed in place with the track and ties removed. Scrub brush and trees have filled in the banks.

No fencing or survey costs are anticipated. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Schneider to accept the donation of a 22 to 26 acre tract of land located near the Aldo Leopold WMA in Bremer County. The donation was made by Wallace Rundle, Victoria Warthan, and Paula Duffy. Seconded by Commissioner Moore. Motion carried unanimously.

LAND DONATION APPROVED

Cedar Rock, Buchanan County—Kremer Exchange

The Natural Resource Commission's approval is requested for the exchange of tract of land approximately 6.6 acres owned by the Department for three parcels of land totaling approximately 22.2 acres owned by Jon Kremer. All four parcels are located in Buchanan County adjacent to the Wapsipinicon River and Cedar Rock just west of the town of Quasqueton. The estimated value of each parcel is \$850 per acre.

Jerry Gibson prepared the compensation estimate and negotiated the exchange agreement in compliance with Title 49 CFR Part 24, which allows the negotiator to appraise and negotiate the same parcel up to a value of \$10,000, and up to \$25,000 with the approval of the landowner.

The three Kremer tracts are approximately 3.2 acres, 12 acres, and 7 acres of timber adjacent to the same side of the Wapsipinicon River. The tracts are actually on the west side, north side and east side of the river, but the same side as Cedar Rock. The DNR parcel is on the east side of the river (opposite side to Cedar Rock). The exchange would increase the shoreline footage along an area of the river designated as a Protected Waters Area; allow easier identification of boundaries by DNR managers; and eliminate boundary issues that now exist. The increased access to the river would allow use by anglers and canoeists.

As part of the exchange, the Department will pay for the survey of the three parcels and Kremer will credit the value of the surveys toward the value of the real estate in excess of the 6.6 acres the DNR would convey to him. If the cost of the survey is less than the value of the Kremer acreage, then the Department will pay the difference to Kremer.

Funding for the difference in value will be provided by REAP-PWA. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Kramer to approve the exchange of land of approximately 6.6 acres owned by the Department for three parcels of land totaling approximately 22.2 acres owned by Jon Kremer. All four parcels are located in Buchanan County adjacent to the Wapsipinicon River and Cedar Rock with an estimated value of each parcel is \$850 per acre. Seconded by Commissioner Francisco. Motion carried unanimously.

LAND EXCHANGE APPROVED

Algific Talus Slope Area, Fayette County—Eric and Cindy Boehm

The Natural Resource Commission's approval is requested to purchase a permanent conservation easement located in Fayette County. The small town of Arlington is located three miles to the south. Eric and Cindy Boehm offer the 15.9-acre easement for the appraised price of \$22,000.

Daniel K. Kinsinger, Licensed Appraiser of Iowa City, Iowa, submitted the appraisal. Travis Baker negotiated the purchase agreement.

The proposed easement is designed to protect a natural area known as an algific talus slope (also known as a cold air slope). It is a rare and almost unknown ecosystem. The entire world's supply consists of a few hundred tiny patches in the Driftless Area of Iowa, Wisconsin, Minnesota and Illinois. These slopes' unusual geology keeps them cool on the hottest summer days, so they host many species found nowhere else in Iowa, or in some cases, nowhere else in the world.

The proposed conservation easement is permanent and shall run with the land. Some of the land uses the easement will restrict are: construction of buildings, roads, and trails; any tillage, planting or harvesting of any agricultural crop; livestock pasturing; and commercial development.

Funding used for this easement acquisition will be the federally funded Landowner Incentive Program (LIP). Survey, fencing and incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Francisco to purchase a 15.9 acre permanent conservation easement located at the Algific Talus Slope Area in Fayette County from Eric and Cindy Boehm for the appraised price of \$22,000. Seconded by Commissioner Kramer. Motion carried unanimously.

EASEMENT PURCHASE APPROVED

LaSoya Wildlife Management Area, Jackson County—Job's Trust

The Natural Resource Commission's approval is requested to purchase a parcel of land located in northern Jackson County, adjacent to the state-owned and managed LaSoya Wildlife

Management Area. Job's Trust, Linda Schuller, Trustee, offer the 50-acre parcel for the appraised price of \$135,000.

Daniel K. Kinsinger, Licensed Appraiser of Iowa City, Iowa, submitted the appraisal. Travis Baker negotiated the purchase agreement.

The county seat of Maquoketa is located approximately 15 miles south of the property. Acquisition of this property will allow for the protection of the existing populations of the federally endangered Northern Monkshood. The property landscape is a mix of steep slopes and nearly level land. Lytle Creek severs the northwest and south central portions of the property and also forms a part of the south boundary. Steep limestone bluffs and timbered draws create aesthetic views on the nearby landscape.

This acquisition will become part of the 30-acre LaSoya Wildlife Management Area and will be managed by the Conservation and Recreation Division in accord with the area management plan.

Funding used for this acquisition will be Section 6-Engandangered Species (90%) and the State Wildlife Habitat Stamp (10%) funds. Incidental closing costs will be the responsibility of the Department.

Linda Hanson announced that Dan Kinsinger, who is a licensed appraiser for this acquisition and other projects that have come before the commission, was recently hired by the department as an employee in our Realty Service Bureau.

Motion was made by Commissioner Francisco to approve the purchase of a 50-acre parcel of land located adjacent to the state-owned and managed LaSoya WMA in Jackson County from Job's Trust, Linda Schuller, Trustee, for the appraised price of \$135,000. Seconded by Commissioner Kramer. Motion carried unanimously.

LAND ACQUISITION APPROVED

Coralville Lake/Hawkeye WMA, Johnson County—U.S. General Services Administration

The Natural Resource Commission's approval is requested to accept a donation of a tract of land located in northeastern Johnson County near Coralville Lake and the Hawkeye Wildlife Management Area. This 9.1 acre donation is offered by the U.S. General Services Administration.

This property will be managed by the Conservation and Recreation Division in accord with the area management plan. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Schneider to accept the donation of a 9.1 acre tract of land located at the Coralville Lake/Hawkeye WMA in Johnson County from the U.S. General Services Administration. Seconded by Commissioner Francisco.

Commissioner Garst asked about the value of the donation and requested that a dollar amount be assigned to the donation in order to compile statistical information for the department.

Motion carried unanimously.

LAND DONATION APPROVED

CONSTRUCTION PROJECTS

Linda Hanson, Administrator, Management Services Division, presented the following item.

Bids were opened February 15, 2006 for the following projects:

Storm Lake, Buena Vista Co. – Casino Bay Marina Dredging

This project consists of the hydraulic dredging of the Casino Bay Marina site as shown on the drawings and specified in the Plans. Project is budgeted in Marine Fuel Tax funds. DNR estimate is \$175,000. Eighteen sets of plans were requested. Two bids were received.

Dubuque Barge & Fleeting Service Co., dba Newt Marine Service	Dubuque, IA	\$ 189,990.29
Dakota Dredging	Canton, SD	\$ 218,500.00

Staff recommends award of contract to Dubuque Barge & Fleeting Service Co. dba Newt Marine Service, low bidder.

Motion was made by Commissioner Schneider to accept the low bid of Dubuque Barge & Fleeting Service Co., dba Newt Marine Service, Dubuque, Iowa, in the amount of \$189,990.29 for a dredging project at Casino Bay Marina. Seconded by Commissioner Garst. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Pleasant Creek SRA, Linn Co. – Wastewater System Upgrade

This project consists of the construction of wastewater facility improvements which involves upgrade of existing two-cell lagoon including synthetic lining system, control manholes, and incidental work as required by the Drawings and DNR Construction Inspector. Project is budgeted 50% in REAP Open Spaces Acquisition and Development and 50% in Federal Land and Water Conservation (LAWCON) funds. DNR estimate is \$360,000. Thirty-three sets of plans were requested. Three bids were received.

Todd Summers, dba Summers Enterprise	Masonville, IA	\$ 302,333.71
E. B. Spencer Engineering Co.	Janesville, IA	\$ 329,700.00
Tschiggfrie Excavating Co.	Dubuque, IA	\$ 330,435.10

Staff recommends award of contract to Todd Summers, dba Summers Enterprise, low bidder.

Motion was made by Commissioner Kramer to approve the low bid of Todd Summers, dba Summers Enterprise, Masonville, Iowa, in the amount of \$302,333.71 for wastewater system upgrade at Pleasant Creek SRA in Linn County. Seconded by Commissioner Francisco. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Lost Grove Lake, Scott Co. – Causeway Construction

This project consists of the construction of a riprap protected earth-fill causeway at 220th Avenue across future Lost Grove Lake; placement of a concrete boat passage culvert and incidental work as required by the Plans and DNR Construction Inspector. Project is budgeted in Marine Fuel Tax funds. DNR estimate is \$360,000. Thirty-nine sets of plans were requested. Fifteen bids were received.

C. J. Moyna, Inc.	Elkader, IA	\$ 366,261.00
Connolly Construction, Inc.	Peosta, IA	\$ 372,284.00
Sulzberger Excavating, Inc.	Muscatine, IA	\$ 443,492.00
Jacob Scheckel dba S2 Construction	Bellevue, IA	\$ 447,328.00
Brandt Construction Co.	Milan, IL	\$ 456,704.30
Foley Construction Co.	Davenport, IA	\$ 464,269.00
Peterson Contractors, Inc.	Reinbeck, IA	\$ 477,581.00
C. H. Langman & Son, Inc.	Rock Island, IL	\$ 482,526.00
Lester Construction, Inc.	Davenport, IA	\$ 499,413.20
Horsfield Construction, Inc.	Epworth, IA	\$ 499,735.60
J. B. Holland Construction, Inc.	Decorah, IA	\$ 509,958.70
Valley Construction Co.	Rock Island, IL	\$ 519,279.00
McCleary Excavating Co., Inc.	Blue Grass, IA	\$ 537,728.00
Phoenix Corp. of the Quad Cities	Port Byron, IL	\$ 570,051.00
Tschiggfrie Excavating Co.	Dubuque, IA	\$ 605,819.20

Staff recommends award of contract to C. J. Moyna, Inc., low bidder.

Motion was made by Commissioner Francisco to approve the low bid of C. J. Moyna, Inc., Elkader, Iowa, in the amount of \$366,261.00 for causeway construction at Lost Grove Lake in Scott County. Seconded by Commissioner Kramer. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Bids were opened March 7, 2006 for the following projects:

George Wyth State Park, Blackhawk Co. – Lodge Roof Replacement

This project of the replacement of the existing asphalt shingle roofing system with a metal roof and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted in REAP Land Management funds. DNR estimate is \$30,000. Seventeen sets of plans were requested. Ten valid bids were received.

Greenley Development Co.	Independence, IA	\$ 30,980.00
Paul G. Christensen Const. Co., Inc.	Cedar Falls, IA	\$ 31,129.00
Matt Construction, Inc.	Sumner, IA	\$ 31,762.00
William Porter, dba Porter Construction	Independence, IA	\$ 33,471.00
RoJohn Home Improvement, Inc.	Fort Dodge, IA	\$ 33,535.00
A & S Services, Inc.	Orange City, IA	\$ 42,550.00
Giese Roofing Co.	Dubuque, IA	\$ 42,951.20
Interstate Roofing & Wtp., Inc.	Onalaska, WI	\$ 48,968.00
Geisler Brothers Co.	Dubuque, IA	\$ 49,986.00
Centurion Industries/A-Lert Roof Systems Div.	Erie, KS	\$ 54,202.00

Staff recommends award of contract to Greenley Development Co., low bidder.

Motion was made by Commissioner Garst to approve the low bid of Greenely Development Co., Independence, Iowa, in the amount of \$30,980.00 for lodge roofing replacement at George Wyth State Park in Black Hawk County. Seconded by Commissioner Moore. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Waubonsie State Park, Fremont Co. – Portals, Shelters and Restroom Renovations

This project consists of repairs of the two toadstool shelters, a restroom building and several masonry structures including the entrance portals as shown on the drawings and specified in the Plans. Project is budgeted 50% REAP Open Spaces and 50% Federal Land and Water Conservation (LAWCON) funds. DNR estimate is \$100,000. Seventeen sets of plans were requested. Four bids were received.

Mallard, Ltd.	Council Bluffs, IA	\$ 105,000.00
C. L. Carroll Co., Inc.	Des Moines, IA	\$ 109,721.00
Lewis Contracting Co., Inc.	Red Oak, IA	\$ 130,564.00
Vieco Development & Const. Co., Inc.	St. Joseph, MO	\$ 157,500.00

Staff recommends award of contract to Mallard, Ltd., low bidder.

Motion was made by Commissioner Garst to approve the low bid of C. L. Carroll Co., Inc. of Council Bluffs, Iowa, in the amount of \$105,000.00 for portals, shelters and restroom renovations at Waubonsie State Park in Fremont County. Seconded by Commissioner Francisco. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Linda Hanson distributed lists of construction items and land acquisition items for FY 06. She asked commissioners to use their copy of the Capitol Plan to track projects by funding source and tying the project spending back to the Capitol Plan.

SUMMERSET STATE PARK 28E AGREEMENT

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Department requests the Commission to approve a public recreational facilities agreement with the Warren County Conservation Board (Conservation Board). The agreement would authorize the Department to manage and maintain facilities located on the Conservation Board's real property and would restrict the Conservation Board from transferring the real property, upon which the facilities are located, without an agreement from the Department.

The Department constructed a concession building, toilet building and associated fencing for public recreational use located on real property owned by the Conservation Board. The real property owned by the Conservation Board is flanked on either side by Banner Lakes at Summerset State Park, which is under the jurisdiction of and managed by the Department. The Department and the Board have jointly agreed that the public interest is served by the Department having responsibility for ownership, management, and maintenance of the facilities. This agreement would make that relationship official, and indemnify the Conservation Board against any liabilities that might arise associated to the facilities.

The Department's use of the real property owned by the Conservation Board will be at no cost to the Department, with exception to the costs the Department incurs in the regular maintenance and operation of the facilities.

<i>Motion was made by Commissioner Francisco to approve a public facilities agreement with the Warren County Conservation Board to manage and maintain facilities located on the Conservation Board's property as per the agreement. Seconded by Commissioner Moore. Motion carried unanimously.</i>
--

FACILITIES AGREEMENT APPROVED

SAND AND GRAVEL PERMITS

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Natural Resource Commission's approval is requested to enter into agreements with two companies and to grant these companies the right to occupy and use the portion of the lands and waters under the Department's jurisdiction for the purpose of removing sand, gravel and stone from January 1, 2006 to December 31, 2006.

The Department proposes to execute four agreements with Hallett Materials and one agreement with Aggregate Materials Company. Specifically, the agreements are as follows:

- A. A renewal with Hallett Materials for a portion of the Des Moines River located in the NW 1/4 of Section 19, Township 78 North, Range 23 West of the 5th P.M., Polk County, IA.
- B. A renewal with Hallett Materials for a another portion of the Des Moines River located in the NW 1/4 of Section 19, Township 78 North, Range 23 West of the 5th P.M., Polk County, IA.
- C. A renewal with Hallett Materials for a portion of the Raccoon River located in the SE 1/4 of Section 30, Township 78 North, Range 25 West of the 5th P.M., Polk County, IA.
- D. A new agreement with Hallett Materials for a portion of the Des Moines River located in the SW and SE 1/4 of Section 15 and 16, Township 78 North, Range 23 West of the 5th P.M., Polk County, IA.
- E. A renewal with Aggregate Materials Company for a portion of the Upper Mississippi River located in the SE and NW 1/4 of Section 24 and 25, Township 87 North, Range 4 East of the 5th P.M., Jackson Country, IA.

In consideration for the occupation and use of these lands, the companies agree to pay a royalty fee of \$0.25 per ton of all sand, gravel and stone removed from the lands and water, which will be due monthly. They also agree not to impair the use and flow of the waterways.

Before these agreements were notices for Commission action, the Department conducted a thorough review of the applications, routing them for comments and approval to the following: Wildlife Bureau; Fisheries Bureau; Endangered Species Office of the Parks Bureau; the Conservation and Recreation Division Administrator; the Flood Plain Section of the Water Quality Bureau; and the Engineering and Realty Services Bureau.

Of the five permit renewal requests, only one (paragraph E above) received public opposition in the form of letters and petitions sent to the Department. The Aggregate Materials Company agreement addresses concerns identified by the Department's in-house review and raised by the public comments, such as, maintaining a 200-foot distance from the river bank.

Commissioner Francisco asked if the fees collected are kept by the department for operations. Linda Hanson said that they are deposited in the Conservation Fund, which is retained by the department.. Ken Herring confirmed the response.

Commissioner Garst asked if there is a long-term management plan for each of these properties and expressed concern with regard to environmental controls on the properties. Commissioner Garst also commented that the fee of \$.025 per ton on the sand, gravel and stone removed is a very low price. Staff responded that the amount is set by Code.

Motion carried unanimously.

PERMITS APPROVED

HONEY CREEK DESTINATION STATE PARK-OUTSIDE COUNSEL

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Natural Resource Commission's approval is requested to contract with a private law firm, which will be hired with the assistance of the Attorney General's Office and approval from the Executive Council. The Department would be authorized to enter into an agreement with outside counsel to represent the DNR's legal interest in contract negotiations related to the Honey Creek Destination State Park Project (Project).

The Project will be defined by a contractual relationship between the Department and its selected contractor. Because of the complex nature of the Project – being publicly financed through tax-exempt bonds and involving extensive design, construction, furnishing, and operation of the resort – the Department, with advice from the Attorney General's Office, has identified the need for specialized legal assistance throughout the negotiation of the agreement(s) with the selected contractor. The Department does not have the staffing resources to negotiate a project of this magnitude, and outside counsel will ensure the Department and the State's interests are met.

The Department, through the Attorney General's Office, is reviewing the qualifications of several firms, which have expertise in both construction and management contracts, and contracts for projects publicly financed with tax-exempt bonds.

It is anticipated that interviews will commence prior to the March 9, 2006 Commission meeting and staff will present a contract with the selected law firm at the meeting for Commission review and approval.

Ms. Hanson introduced Arnie Sohn, Parks Bureau who reviewed the item.

Motion was made by Commissioner Garst to approve entering into an agreement with outside counsel to represent the DNR's legal interest in contract negotiations related to the Honey Creek Destination State Park Project. Seconded by Commissioner Moore. Motion carried unanimously.

AGREEMENT APPROVED

HONEY CREEK DESTINATION STATE PARK—INTENT TO NEGOTIATE

Arnie Sohn, Parks Bureau, presented the following item.

Staff will provide a brief summary of the selection process utilized, the proposals received, and the recommendation of the Director for selection of a private development and management firm to initiate development of facilities at Honey Creek Resort State Park. In a separate item, the Commission will be advised of the Attorney General's recommendation to seek outside counsel to assist in development of contract(s) with the selected firm to assure that the interests of the State, the Department, the public, and the contracting firm are all properly taken into account.

Two firms submitted proposals: (1) Kineth Hospitality Services and (2) Regency Hotel Management. The third firm that was short-listed and invited to respond to an RFP opted to withdraw from the project.

RECOMMENDATIONS
HONEY CREEK RESORT STATE PARK
PRIVATE DEVELOPER/OPERATOR

MARCH 9, 2006

The Review/Evaluation Committee met on February 28 with Dave Sweet, his senior management staff and subcontractors from the Regency Hotel Management Team, and on March 1 with Bruce and Les Kineth and Jeff Schrader from Kineth Hospitality Companies. Membership of the Committee is attached.

A quick review of the process that brought us to this point:

- A "Request for Qualifications and Interest" mailed to approximately 300 potential developers/operators resulted in seven firms responding.
- The Review and Selection Committee recommended that three of those firms be short-listed and invited to submit more detailed proposals in response to an RFP.
- The three firms invited to submit proposals were: (1) Regency Hotel Management of Sioux Falls, South Dakota; (2) Delaware North Companies of Buffalo, New York; and (3) Kineth Hospitality Companies of North Liberty, Iowa.
- Delaware North Companies opted to withdraw from the process and did not submit a proposal, citing what they felt was an inadequate budget to develop the facilities at a level they felt to be appropriate.
- Proposals were received from Regency Hotel Management (RHM) and Kineth Hospitality Companies (KHC). Presentations of those proposals and interviews were conducted with those two companies on February 28 and March 1, respectively.

KHC reached a conclusion that the available and projected Phase 1 development budget of approximately \$40 million was insufficient to fund the facilities envisioned. Their preliminary estimates indicated a shortfall of approximately \$15 million for Phase 1 facilities.

RHM indicated they felt the budget and timetable were "challenging but doable" and that they could provide an attractive and profitable facility within the budget. Their reference in regard to "challenging" related more to the timetable for the project than to the budget.

The ten members of the Committee utilized criteria as contained in the RFP to score and rank the two proposals. Criteria used were:

- (1) Thoroughness of financial analyses, 200 points
- (2) Thoroughness of proposal, 100 points
- (3) Capabilities of the lead firm and its team members, 100 points
- (4) Compatibility of the lead firm and its team members with the vision of the project, and ability to work with staff and stakeholders, 100 points
- (5) Timeliness of proposed actions, ability to meet timetables as spelled out in the RFP, 100 points
- (6) Experience and references, 100 points
- (7) Value of products and services to be delivered relative to costs, 100 points.

It was the unanimous recommendation of the Committee that the Department of Natural Resources enter into negotiations with Regency Hotel Management of Sioux Falls, South Dakota for the design, construction and operation of Honey Creek Resort State Park. The composite scores for all team members and all criteria were: Regency Hotel Management—7,405 points; Kineth Hospitality Companies—4855 points.

Christian Vetter from Economics Research Associates, the firm that did the initial market analyses, facility sizing recommendations and financial proformas, was present for both presentations and participated extensively in committee discussions leading to our scoring and ranking. He will also provide a written summary of ERA's thoughts in regard to the two firms and their respective proposals. Mr. Vetter is in agreement with the Committee's conclusions and recommendations.

It is the Committee's belief that Regency, because of its experience with similar projects, its past associations with other state/private enterprises and partnerships, and its vision for the project was in a better position to respond to a "State Park Resort" RFP. They have the experience, the contacts, the processes and the abilities to lead stakeholders through the pre-design and design elements and to assist in guiding important decisions associated with such a process. And they enter that process with a positive position that a quality facility can be built with the funds that are available and anticipated.

It is the Committee's understanding that Delaware North Companies normally focuses their efforts and resources on management and operation of facilities and not on the design and construction of new facilities.

Kineth Hospitality Companies approached the project from a "commercial" perspective and not a "state park resort" perspective. That model would tend toward such things as higher-priced and more luxurious facilities and the enlistment of high-end designers and architects. For example, Robert Trent Jones-II was the golf course designer and construction overseer on the Kineth team. It was apparent (and acknowledged by Kineth spokespersons) that the civil engineering and consulting fees in their \$55 million proposal were very high (almost 30% of total project costs). They expressed a willingness to examine/refine and probably reduce those fees. But they also indicated that the degree of reduction would probably only be in the 10-15%

range or around a \$2.0 million reduction. This would result in engineering/consulting fees about twice those included in the Regency proposal.

Next Steps/Timing

Upon NRC approval of intent to negotiate contracts with Regency Hotel Management, we will enter into an aggressive schedule to complete pre-design and design work. This will enable significant refinement and a better certainty of cost estimates and the adequacy of available and anticipated funds to complete Phase 1. Existing appropriated funds, including a portion of the \$3.0 million appropriated in 2005 (and requiring private matching funds) are sufficient to cover these steps.

At the same time, the private fund raising campaign will proceed, with a goal of raising at least \$4.0 million in cash contributions and pledges

Simultaneously, as designs are finalized, cost estimates are firmed up, and financial projections are confirmed, the right information will be available to provide to the Honey Creek Bond Authority to enable the issuance of those bonds on a schedule that will have funding available as needed to meet intensive construction phases in 2006, 2007 and 2008.

The RFP established a schedule that included a groundbreaking ceremony in the summer or fall of 2006 and the grand opening of at least one of the major components of the complex by Labor Day, 2007. Both firms strongly recommended that we not pursue a partial opening of one facility late in the peak recreational season while construction is still underway on other major elements within the park. Therefore, the goal will be modified to have the entire park developed and ready for opening by Memorial Day Weekend, 2008. We will continue to pursue an aggressive schedule for pre-design and design work in the next several months and will continue to plan for a groundbreaking ceremony this fall.

Mr. Sohn provided a summary of the selection process and reviewed the proposals submitted for selection of a private development and management firm of facilities at Honey Creek Resort State Park. Mr. Sohn noted that Regency Hotel Management was a unanimous choice of the committee.

Motion was made by Commissioner Schneider to approve the recommendation of the Committee that the Department of Natural Resources enter into negotiations with Regency Hotel Management of Sioux Falls, South Dakota for the design, construction and operation of Honey Creek Resort State Park. Seconded by Commissioner Moore.

Commissioner Schneider asked if overrides were taken into consideration in planning the budget for this project. Mr. Sohn responded that a contingency was built in, but added that it is a tight budget. He said that the timetable was more of a concern with the Regency then the price of a overrun.

Motion carried unanimously

RESORT CONSTRUCTION NEGOTIATIONS APPROVED

Greg Schjodt, President and CEO of Regency Hotel Management, remarked that he understands the importance of the project for Iowa, as well as the environmental and ecology importance. He expressed appreciation for the confidence placed in his company and said he understands budget concerns. Mr. Schjodt extended invitation to staff and commissioners visiting completed projects of his company.

David Taylor, RLR Committee Member, Centerville, Iowa, spoke regarding Honey Creek Resort State Park. He expressed pleasure of working with DNR staff and thanked Arnie Sohn for keeping the project moving forward. Mr. Taylor welcomed the Commission to Centerville.

Bill Duey, U. S. Army Corps of Engineers, spoke regarding the Honey Creek Resort State Park. He commended Director Vonk for pushing forward the concept of revenue bonding and his work on getting it through the legislature. He thanked Ken Herring for all the help he has been with the administrative process. Mr. Duey expressed appreciation of Arnie Sohn's everyday work on the project and expressed confidence in Regency Hotel Management. Mr. Duey thanked the commission members for having the vision to bring a resort park to Iowa.

Kevin Kness, Albia, Iowa, and a member of the RLR Committee and Indian Hills Community College, said that Albia and Monroe County are supportive of the project and are anxious to see it become a reality. He expressed appreciation of Director Vonk, Ken Herring and Arnie Sohn for their work on the Honey Creek Resort Park Project.

NOTICE OF INTENDED ACTION—CHAPTER 52—WILDLIFE REFUGES

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to approve a Notice of Intended Action to amend Chapter 52, Wildlife Refuges. The amendment eliminates the Iowa River Corridor Area in Tama County from the list of wildlife refuges.

NATURAL RESOURCE COMMISSION [571] Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 52, "Wildlife Refuges," Iowa Administrative Code.

This amendment deletes the Iowa River Corridor Area in Tama County from the list of wildlife refuges.

Any interested person may make written suggestions or comments on the proposed amendment on or before April 18, 2006. Written comments may be directed to the Wildlife Bureau's website at www.iowadnr.com or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-6156 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building. Also, there will be public hearings held at 18 locations via the Iowa

Communications Network on April 18, 2006. Interested persons should contact the Department at (515)281-5918 for a list of hearing locations or go to the Department's website at www.iowadnr.com. At the hearings, persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment is intended to implement Iowa Code sections 481A.5, 481A.6, 481A.8 and 481A.39.

The following amendment is proposed.

Amend subrule 52.1(2), paragraph "a," as follows:

52.1(2) Wildlife refuges.

a. Restrictions. The following areas under the jurisdiction of the department of natural resources are established as game refuges where posted. It shall be unlawful to hunt, pursue, kill, trap, or take any wild animal, bird, or game on these areas at any time, and no one shall carry firearms thereon, except where and when specifically authorized by the department of natural resources. It shall also be unlawful to trespass in any manner on the following areas, where posted, between the dates of September 10 and December 31 of each year, both dates inclusive, except that department personnel and law enforcement officials may enter the area at any time in performance of their duties, and hunters, under the supervision of department staff, may enter when specifically authorized by the department of natural resources.

Area County

Lake Icaria	Adams
Pool Slough Wildlife Area	Allamakee
Rathbun Area	Appanoose
Wildlife Exhibit Area	Boone
Sweet Marsh	Bremer
Storm Lake Islands	Buena Vista
Big Marsh.	Butler
South Twin Lake.	Calhoun
Round Lake	Clay
Little River Recreation Area	Decatur
Allen Green Refuge	Des Moines
Henderson	Dickinson
Kettleson Area	Dickinson
Spring Run	Dickinson
Ingham Lake	Emmet
Forney Lake	Fremont
Riverton Area	Fremont
Dunbar Slough	Greene
Bays Branch	Guthrie
Iowa River Corridor Wildlife Area	Iowa
Green Island Area	Jackson
Hawkeye Wildlife Area	Johnson

Muskrat Slough	Jones
Colyn Area	Lucas
Red Rock Area	Marion, Polk, Warren
Badger Lake	Monona
Tieville/Decatur Bend	Monona
Five Island Lake	Palo Alto
Big Creek-Saylorville Complex	Polk
Chichaqua Area	Polk
Cottonwood Area	Polk
I-35 Area	Polk
Smith Area	Pottawattamie
Lake View Area	Sac
McCausland	Scott
Princeton Area	Scott
Prairie Rose Lake	Shelby
Otter Creek Marsh	Tama
Green Valley Lake	Union
Three Mile Lake	Union
Lake Sugema	Van Buren
Rice Lake Area	Winnebago
Snyder Lake	Woodbury
Elk Creek Marsh	Worth
Lake Cornelia	Wright

Date

Jeffrey R. Vonk, Director

Terry Little, Supervisor, Wildlife Bureau, reviewed that these wildlife rules start the formal process of taking comments on the proposed wildlife rules and regulations. He specifically noted that public hearings would be held at 18 locations via the ICN on April 18 and for the first time, staff is taking comments via the Wildlife Bureau's website.

Motion was made by Commissioner Schneider to approve Notice of Intended Action—Chapter 52, Wildlife Refuges. Seconded by Commissioner Francisco. Motion carried unanimously.

NOTICE APPROVED

NOTICE OF INTENDED ACTION—CHAPTER 91, WATERFOWL AND COOT HUNTING SEASONS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to approve a Notice of Intended Action to amend Chapter 91 – Waterfowl and Coot Hunting Seasons. The amendment establishes proposed dates for waterfowl hunting seasons, and eliminates the area closed to Canada goose hunting at Red Rock Lake. Season dates are subject to final Federal season frameworks that will be available in August.

NATURAL RESOURCE COMMISSION [571]
Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 91 “Waterfowl and Coot Hunting Seasons,” Iowa Administrative Code.

These rules give the regulations for hunting waterfowl and coot and include season dates, bag limits, possession limits, shooting hours, and areas open to hunting. Season dates are adjusted annually to comply with federal law and to ensure that seasons open on a weekend.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 18, 2006. Written comments may be directed to the Wildlife Bureau's website at www.iowadnr.com or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-6156 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building. Also, there will be public hearings held at 18 locations via the Iowa Communications Network on April 18, 2006. Interested persons should contact the department at (515)281-5918 for a list of hearing locations or go to the department's website at www.iowadnr.com. At the hearings, persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48 and 483A.7.

The following amendments are proposed.

ITEM 1. Amend subrules 91.1(2) and 91.1(3) as follows:

91.1(2) Season dates - north zone. For canvasbacks: October ~~22~~ 21 through November ~~20~~ 19. For all other species: September ~~47~~ 23 through September ~~24~~ 27 and October ~~45~~ 14 through December ~~8~~ 7.

91.1(3) Season dates - south zone. For canvasbacks: October ~~29~~ 28 through November ~~27~~ 26. For all other species: September ~~24~~ 23 through September ~~28~~ 27 and October ~~22~~ 21 through December ~~45~~ 14.

ITEM 2. Amend subrules 91.3(2) and 91.3(3) as follows:

91.3(2) Season dates - north zone. Canada geese and brant: ~~October 4~~ September 30 through October ~~9~~ 8, October ~~15~~ 14 through December ~~4~~ 3 and December ~~24~~ 23 through January ~~2, 2006~~ 1, 2007. White-fronted geese: ~~October 4~~ September 30 through December ~~44~~ 10. Light

geese (white - and blue-phase snow geese and Ross' geese): ~~October 1~~ September 30 through January ~~15, 2006~~ 14, 2007.

91.3(3) Season dates - south zone. Canada geese and brant: ~~October 1~~ September 30 through October 9 ~~8~~ and October ~~22~~ 21 through December 4 ~~3~~ and December ~~24~~ 23 through January 9, ~~2006~~ 8, 2007. White-fronted geese: ~~October 1~~ September 30 through December ~~11~~ 10. Light geese (white - and blue-phase snow geese and Ross' geese): ~~October 1~~ September 30 through January ~~15, 2006~~ 14, 2007.

ITEM 3. Amend subrule 91.3(7), introductory paragraph as follows:

.91.3(7) Light goose conservation order season. Only light geese (white - and blue-phase snow geese and Ross' geese) may be taken under a conservation order from the U. S. Fish and Wildlife Service from January ~~16, 2006~~ 15, 2007, through April 15, ~~2006~~ 2007.

ITEM 4. Amend subrule 91.3(8), paragraph "b," as follows:

b. Season dates. September ~~10~~ 9 through September ~~11~~ 10.

ITEM 5. Rescind subrule 91.4(2), paragraph "l."

ITEM 6. Amend rule 571--91.6(481A) as follows:

571—91.6(481A) Youth waterfowl hunt. A special youth waterfowl hunt will be held on October ~~8 and 9, 2005~~ 7 and 8, 2006, in the north duck hunting zone and October ~~8 and 9, 2005~~ 7 and 8, 2006, in the south duck hunting zone. Youth hunters must be 15 years old or younger. Each youth hunter must be accompanied by an adult 18 years old or older. The youth hunter does not need to have a hunting license or stamps. The adult must have a valid hunting license and habitat stamp if normally required to have them to hunt and a state waterfowl stamp. Only the youth hunter may shoot ducks and coots. The adult may hunt for any other game birds for which the season is open. The daily bag and possession limits are the same as for the regular waterfowl season, as defined in subrule 91.1(1). All other hunting regulations in effect for the regular waterfowl season apply to the youth hunt.

Date

Jeffrey R. Vonk, Director

Terry Little reviewed the rule in detail. He noted that the season dates are subject to final Federal season frameworks that will be available in August. He also said that zone boundaries may change before the final rule.

Motion was made by Commissioner Schneider to approve Notice of Intended Action—Chapter 91, Waterfowl and Coot Hunting Season. Seconded by Commissioner Francisco. Motion carried unanimously.

NOTICE APPROVED

NOTICE OF INTENDED ACTION –CHAPTER 95, GAME HARVEST REPORTING AND LANDOWNER-TENANT REGISTRATION

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to approve a Notice of Intended Action to amend Chapter 95, Game Harvest Reporting and Landowner-tenant Registration. The new chapter gives the regulations for reporting the harvest of deer and wild turkey and procedures for landowners and tenants to verify their eligibility for free deer and wild turkey hunting licenses.

NATURAL RESOURCE COMMISSION [571] Notice of Intended Action

Pursuant to the authority of Iowa Code section 455A.5, the Natural Resource Commission hereby gives Notice of Intended Action to adopt new Chapter 95, “Game Harvest Reporting and Landowner-Tenant Registration,” Iowa Administrative Code.

These rules give the regulations for reporting the harvest of deer and wild turkey and procedures for landowners and tenants to verify their eligibility for free deer and wild turkey hunting licenses.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 18, 2006. Written comments may be directed to the Wildlife Bureau's website at www.iowadnr.com or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-6156 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

Also, there will be public hearings held at 18 locations via the Iowa Communications Network on April 18, 2006. Interested persons should contact the Department at (515)281-5918 for a list of hearing locations or go to the Department's website at www.iowadnr.com. At the hearings, persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend a public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 483A.38, 483A.39, 483A.48 and 483A.7.

The following new chapter is proposed.

Adopt the following **new** Chapter 95:

CHAPTER 95 GAME HARVEST REPORTING AND LANDOWNER-TENANT REGISTRATION

571—95.1(481A) Harvest reporting system. Deer and turkey hunters must report each deer and wild turkey harvested to the Department of Natural Resources (DNR) harvest reporting system.

The hunter whose name is on the transportation tag is responsible for making the report. Hunters that do not bag a deer or wild turkey do not report.

95.1(1) Reporting deadlines.

a. Deer. A harvest report must be made by midnight on the day after the deer is killed, before the deer is taken to a locker, before the deer is processed for consumption, or before the hunter leaves the state, whichever occurs first.

b. Wild turkey. The hunter whose name is on the transportation tag is responsible for making the report. A harvest report must be made no later than midnight on the day of the kill, before the turkey is taken to a locker, before the turkey is processed for consumption, or before the hunter leaves the state, whichever occurs first.

95.1(2) Method of reporting. Hunters may report in one of three ways:

a. By calling the DNR toll-free harvest reporting telephone number. The telephone number will be in operation from 6 a.m. to midnight each day during hunting seasons and for the legal reporting period after the season.

b. By reporting through the Internet using the DNR online harvest reporting system. The system will function 24 hours a day, 7 days a week during hunting seasons and for the legal reporting period after the season.

c. By visiting an Electronic Licensing System for Iowa (ELSI) I license agent during the license agent's normal business hours. Reports may be made through ELSI whenever hunting seasons are open and for the legal reporting period after the seasons.

95.1(3) Report confirmation. After the report is made, hunters will be given a coded number to write on their transportation tag to verify they have reported their kill. The confirmation number must remain on the transportation tag and the tag must remain attached to the deer or wild turkey until it is processed for consumption.

571—95.2(481A) Verifying eligibility for free landowner or tenant licenses. Eligibility for free and reduced fee deer and wild turkey hunting licenses is defined in Iowa Code 483A.24, rule 571--106.12(481A and rule 571--98.5(483A). Landowners and tenants must verify their eligibility prior to obtaining a free or reduced fee hunting license or ELSI will not issue the license. Registering once will enable landowners and tenants and their eligible family members to get all free deer and wild turkey hunting licenses for which they are eligible. In order to register a person must have a customer record in ELSI. Persons without an ELSI customer record must call the ELSI online telephone ordering system to establish a customer record before registering.

a. Method of registration. Landowners. and tenants may register their eligibility in one of the following ways:

(1) Persons that qualify as a landowner on at least one parcel of land may register on the Internet through the ELSI online license sales system, or by calling the ELSI telephone ordering system, or by submitting an application through the mail. The online system and the ELSI telephone ordering system are available 24 hours a day, 7 days a week. Online and telephone registrants may immediately obtain a free license once the registration process is complete. Persons that register through the mail may have to wait up to 5 business days after the form is received by DNR to obtain licenses.

(2) Tenants. Persons that qualify as tenants but do not own any qualifying land must register through the mail by submitting an application or affidavit obtained from DNR. Tenants

may have to wait up to 5 business days after the application is received by DNR before obtaining a free license.

b. Information required to verify eligibility.

(1) Landowners. Landowners will be required to provide their ELSI customer number, Iowa driver's license number, or social security number to identify their ELSI customer record. They must also provide the county number and taxpayer Parcel Identification Number from their current property tax statement for one parcel of qualifying land that they own. Qualifying family members must be registered to that same parcel.

(2) Tenants. Tenants must provide an application that contains their ELSI customer number, Iowa driver's license number, or social security number to identify their ELSI customer record. They must attach to their application a copy of their USDA Farm Services Agency (FSA) Form AD-1026A from one parcel of qualifying land. All persons that qualify as family members must be listed on the application. Qualifying tenants that rent land from owners that do not participate in USDA farm programs and are not registered with FSA may submit an affidavit documenting that they rent agricultural land with the name, telephone number and signature of the owner included for verification.

c. Forms. Applications and affidavits can be found online at www.iowadnr.com, at DNR offices, or by calling (515)281-5918.

d. Registration renewal. Landowners and tenants must renew their registration whenever their eligibility or the eligibility of a family member changes. All landowners and tenants must renew their registration after 3 years to retain the privilege for free licenses.

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1 and 483A.7.

Date

Jeffrey R. Vonk, Director

Laverne Woock, Iowa Bowhunter's Association, spoke regarding the Game Harvest Reporting and the Deer Hunting Rule. He said the registration of landowners is long overdue. And applauded the department on the rule.

The regulations for reporting the harvest of deer and wild turkey and procedures for landowners and tenants to verify their eligibility for free deer and wild turkey hunting licenses were reviewed. Deer must be reported by midnight on the day after the deer is killed and turkey reported no later than midnight on the day of the kill. Both species must be reported before they are taken to a locker, before processing for consumption or before the hunter leaves the state.

Commissioner Francisco disagreed with the reporting regulations. He said turkeys are often processed immediately in the field, before there is a chance to make a report. He also said the inconsistency between the time of reporting will be confusing to people. Francisco noted the difficulty of signing the tag in the field.

Commissioner Garst commented that verifying eligibility of landowners may not be as difficult as it is for tenants. She suggested that the department take the lead with tenant education

Motion was made by Commissioner Kramer to approve Notice of Intended Action—Chapter 95, Game Harvest Reporting and Landowner-Tenant Registration. Seconded by Commissioner Francisco. Motion carried unanimously.

NOTICE APPROVED

Public Participation

John Tevis, Iconium Bait Station, Moravia, Iowa, expressed concerns with regard to the sewers system and requested that they be allowed to hook onto the new sewer. He also talked about adequate water and fire hydrants for the new businesses that will be developed as well as the need for emergency storm sirens.

Director Vonk responded that with regard to the septic and sewers for the area, the original plan was drawn up to provide that service to the surrounding towns. He also suggested that the request for storm sirens be addressed with the County.

NOTICE OF INTENDED ACTION—CHAPTER 98, WILD TURKEY SPRING HUNTING

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to amend Chapter 98 – Wild Turkey Spring Hunting. The amendments eliminate zones and license quotas for resident hunters and change the daily bag limit. A hunter Telechek system and requirements for landowners and tenants to pre-register for free licenses are also added.

NATURAL RESOURCE COMMISSION [571]

Notice of Intended Action

Pursuant to the authority of Iowa Code section 455A.5, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 98, “Wild Turkey Spring Hunting,” Iowa Administrative Code.

These rules give the regulations for hunting wild turkeys during the spring and include season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and method of take, and transportation tag requirements. The amendments eliminate resident spring turkey hunting zones and license quotas, change the daily bag limit, require reporting of harvested turkeys through the harvest reporting system, and require landowners and tenants to pre-register to obtain free turkey hunting licenses.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 18, 2006. Written comments may be directed to the Wildlife Bureau's website at www.iowadnr.com or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515) 281-6156 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

Also, there will be public hearings held at 18 locations via the Iowa Communications Network on April 18, 2006. Interested persons should contact the Department at (515)281-5918 for a list of hearing locations or go to the Department's website at www.iowadnr.com. At the hearings, persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend a public hearing and have special requirements such as those related hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

These amendments are intended to implement Iowa Code sections 483A.38, 483A.39, 483A.48 and 483A.7.

The following amendments are proposed.

ITEM 1. Amend rule 571--98.1(483A) as follows:

571—98.1(483A) General. Wild turkey may be taken during the spring season subject to the following:

98.1(1) License. All hunters must have in possession a wild turkey spring hunting license valid for the current year when hunting wild turkey. No one, while hunting wild turkey, shall carry or have in possession any license or transportation tag issued to another hunter. A hunter having a license valid for one of the spring turkey seasons may accompany, call for, or otherwise assist any other hunter who has a valid turkey hunting license for any of the spring seasons ~~in any zone~~. The hunter who is assisting may not shoot a turkey or carry a firearm or bow unless the hunter has a valid license with an unused tag for the current season ~~and zone~~. If a turkey is taken, it must be tagged with the tag issued to the hunter who shot the turkey.

a. Two types of licenses will be issued.

(1) Combination shotgun-or-archery license. Combination shotgun-or-archery licenses shall be issued by ~~zone and~~ season and shall be valid in the ~~designated zone and for the~~ designated season only.

(2) Archery-only license. Archery-only licenses shall be valid statewide and shall be valid during all seasons open for spring turkey hunting, except the youth season.

b. Number of licenses. No one may apply for or obtain more than two paid spring wild turkey hunting licenses. A hunter may obtain no more than two combination shotgun-or-archery licenses, or two archery-only licenses, or one of each. If two paid combination shotgun-or-archery licenses are obtained, at least one must be for season 4 ~~in any zone~~. If one paid combination shotgun-or-archery license and one archery-only license are obtained, the combination shotgun-or-archery license must be for season 4 ~~in any zone~~.

98.1(2) Daily bag and possession limits. Daily bag limit, and season possession limit, one bearded (or male) wild turkey. ~~Possession limit and season limit, one bearded (or male) wild turkey~~ per license.

98.1(3) Shooting hours. Shooting hours shall be from one-half hour before sunrise to sunset.

ITEM 2. Amend rule 571--98.3(481A) as follows:

571—98.3(483A) Procedures to obtain licenses. All spring wild turkey hunting licenses will be sold ~~or may be applied for~~ using the electronic licensing system for Iowa (ELSI). Licenses ~~and~~

~~license applications~~ may be purchased through ELSI license agents, by calling the ELSI telephone ordering system, or through the ELSI Internet license sales Web site.

98.3(1) Spring wild turkey hunting licenses will be sold beginning December 15 through the last day of the season for which the license is valid, ~~or until quotas (if any) are filled, whichever occurs first. No one may obtain more than one limited quota license.~~

98.3(2) License quotas. Separate quotas will be established for each license type. There will be no quotas for either combination shotgun-or-archery licenses or archery-only licenses for resident hunters.

~~a. Combination shotgun-or-archery licenses. A limited number of combination shotgun-or-archery hunting licenses will be issued for each season in Zones 1, 2 and 3. There shall be no limit on combination shotgun-or-archery licenses in any season in Zone 4. The same quota shall apply to Zones 1, 2 and 3 in all four seasons. The maximum number of combination shotgun-or-archery licenses that will be issued in each zone for each season is as follows:~~

~~(1) Zone 1. 65.~~

~~(2) Zone 2. 125.~~

~~(3) Zone 3. 80.~~

~~(4) Zone 4. No limit.~~

~~b. Archery-only licenses. The number of archery-only licenses shall not be limited.~~

98.3(3) Landowner/tenant licenses. An eligible landowner or tenant may obtain a free combination shotgun-or-archery license or a free archery-only license. Nonresident landowners are not eligible for free turkey hunting licenses.

a. Free combination shotgun-or-archery licenses. A free combination shotgun-or-archery license will be issued by season and will be valid only on the farm unit of the landowner or tenant.

b. Free archery-only licenses. A free archery-only license will be valid for all seasons but only on the farm unit of the landowner or tenant.

c. Number of licenses. One paid combination shotgun-or-archery license or one paid archery-only license may be obtained in addition to the free shotgun-or-archery license or the free archery-only license. If a free archery-only license and a paid combination ~~gun/bow~~ shotgun-or-archery license are obtained, the ~~gun/bow~~ shotgun-or-archery license must be for Season 4 ~~in any zone~~. If a free ~~gun/bow~~ shotgun-or-archery license and a paid ~~gun/bow~~ shotgun-or-archery license are obtained, ~~the free license must be for season 4 in any zone or the free license must be for season 4~~ one of the licenses must be for season 4.

ITEM 3. Adopt **new** subrule 98.5(8) as follows:

98.5(8) Registration of landowners and tenants. Landowners and tenants and their eligible family member that want to obtain free spring wild turkey hunting licenses must register with DNR before the free licenses will be issued. Procedures for registering are described in 571--95(481A).

ITEM 4. Amend subrule 98.6(1) as follows:

98.6(1) Licenses. A special youth spring wild turkey hunting license valid statewide may be issued to any Iowa resident who is 15 years old or younger on the date the youth purchases the license. The youth license may be paid or free to persons eligible for free licenses. If the youth obtains a free landowner/tenant license, it will count as the one free license for which the youth's family is eligible. Each participating youth must be accompanied by an adult who

possesses a valid wild turkey spring hunting license for one of the seasons and a hunting license, and has paid the habitat fee (if the adult is normally required to have a hunting license and to pay the habitat fee to hunt). The accompanying adult must not possess a firearm or bow and must be in the direct company of the youth at all times. A person may obtain only one youth turkey hunting license but may also obtain one archery-only license or one combination shotgun-or-archery wild turkey spring hunting license for season 4 in any zone.

ITEM 5. Adopt **new** rule 571--98.7(481A) as follows:
571--98.7(481A) Harvest reporting. Each hunter that bags a turkey must report that kill according to procedures described in 571--95.2(481A).

571—~~98.7(481A)~~ and 98.8(481A) Reserved.

ITEM 6. Adopt **new** rule 571--98.15(481A) as follows:
571--98.15(481A) Harvest reporting. Each hunter that bags a turkey must report that kill according to procedures described in 571--95.2(481A).

These rules are intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48, 483A.1 and 483A.7.

Date

Jeffrey R. Vonk, Director

Motion was made by Commissioner Francisco to approve Notice of Intended Action—Chapter 98, Wild Turkey Spring Hunting. Seconded by Commissioner Moore. Motion carried unanimously.

NOTICE APPROVED

NOTICE OF INTENDED ACTION –CHAPTER 106, DEER HUNTING BY RESIDENTS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to approve a Notice of Intended Action to amend Chapter 106 – Deer Hunting by Residents. The amendments establish proposed season dates and antlerless-only deer license quotas. Final recommendations for quotas will be made after harvest data is available and winter deer surveys have been completed and will be presented to the Commission in June.

NATURAL RESOURCE COMMISSION [571] Notice of Intended Action

Pursuant to the authority of Iowa Code section 455A.5, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 106, “Deer Hunting by Residents,” Iowa Administrative Code.

The amendments list license quotas for antlerless deer licenses, removes many restrictions on seasons in which antlerless-only licenses may be used, requires landowners and tenants to register before obtaining free deer licenses, and requires all hunters that shoot deer to report each kill to the Department.

The Commission gives notice that the final rule may have to be changed substantially from this Notice of Intended Action depending on pending legislative action and the outcome of deer population surveys currently underway. If surveys indicate the deer harvest must be substantially increased or reduced in some regions to meet the department's goals for herd management, additional changes may be made. Such changes could include season dates, bag limits, antlerless-deer-only license quotas, number and type of seasons, license types and other changes that may be deemed necessary.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 18, 2006. Written comments may be directed to the Wildlife Bureau's website at www.iowadnr.com or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-6156 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

Also, there will be public hearings held at 18 locations via the Iowa Communications Network on April 18, 2006. Interested persons should contact the Department at (515)281-5918 for a list of hearing locations or go to the Department's website at www.iowadnr.com. At the hearings, persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearings and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and request specific accommodations.

This amendment is intended to implement Iowa Code sections 481A.38, 481A.39, 481A.48 and 483A.7.

The following amendments are proposed.

ITEM 1. Amend subrule 106.1(1), paragraph "b," as follows:

b. Antlerless-deer-only licenses. Antlerless-deer-only licenses shall be valid for taking deer that have no forked antler. Paid antlerless-deer-only licenses shall be valid in one county or in one deer population management zone and in one season ~~as designated on the license selected by the hunter at the time the license is purchased.~~ Free and reduced-fee antlerless-deer-only licenses shall be valid on the farm unit of an eligible landowner or tenant in the season or seasons designated on the license selected by the hunter at the time the license is obtained. Free and reduced-fee antlerless-deer-only licenses shall be available only in seasons and counties where paid antlerless-deer-only licenses are available.

ITEM 2. Amend subrules 106.1(6) and 106.1(7) as follows:

106.1(6) January antlerless-deer-only licenses. Only antlerless-deer-only licenses, paid or free, will be issued for the January antlerless-deer-only season. Free and reduced-fee antlerless-

deer-only licenses shall be available only in counties where paid antlerless-deer-only licenses are available.

106.1(7) Free and reduced-fee deer licenses for landowners and tenants. One free any-deer license, two free antlerless-deer-only licenses, and two reduced-fee antlerless-deer-only licenses may be issued to a qualifying landowner or tenant or eligible family member. Eligibility for licenses is described in 571—106.12(481A). The free any-deer license shall be available for one of the following seasons: the youth/disabled hunter season, bow season, early muzzleloader season, ~~or~~ late muzzleloader season or first ~~or~~ and second regular gun season seasons. ~~Persons who obtain a free any-deer may also obtain one free antlerless-deer-only license and two reduced-fee antlerless-deer-only licenses.~~ One free antlerless-deer-only license and two reduced-fee antlerless-deer-only licenses shall each be valid for one of the following seasons in any combination: youth/disabled hunter season, bow season, early muzzleloader season, ~~or~~ late muzzleloader season, first ~~or~~ and second regular gun season, ~~or~~ November antlerless-deer-only season, or the January antlerless-deer-only season. Licenses for the November antlerless-deer-only season and the January antlerless-deer-only season will be available only if a portion of the farm unit lies within a county open during those seasons. ~~One additional~~ The second free antlerless-deer only license shall be valid only for the January antlerless-deer-only season and may be obtained only if a portion of the farm unit is located in a county that is open during that season. ~~The reduced-fee antlerless-deer-only licenses shall be valid for the youth/disabled hunter season, bow season, early or late muzzleloader season, first or second regular gun season, or November antlerless-deer-only season.~~

ITEM 3. Amend subrule 106.2(5) as follows:

106.2(5) January antlerless-deer-only season. Antlerless deer may be taken from January 11 through the second following Sunday. ~~The season will be extended seven additional days in the southern two tiers of counties.~~

ITEM 4. Amend rule 571--106.6(481A) as follows:

571—106.6(481A) Paid deer license quotas and restrictions. Paid deer licenses, including antlerless-deer-only licenses, will be restricted in the type and number that may be purchased.

106.6(1) Paid any-deer licenses. Residents may purchase no more than two paid any-deer licenses, one for the bow season and one for ~~either~~ one of the following seasons: the youth/disabled hunter, early muzzleloader season, ~~or~~ late muzzleloader season, ~~or~~ first regular gun season or second regular gun season. No more than 7,500 paid statewide any-deer licenses will be sold for the early muzzleloader season. Fifty additional paid early muzzleloader season licenses will be sold through and will be valid only for the Iowa Army Ammunition Plant. There will be no quota on the number of paid any-deer licenses issued in the youth/disabled hunter, bow, late muzzleloader, ~~or~~ first regular gun season or second regular gun season.

106.6(2) Paid antlerless-deer-only licenses. ~~Paid~~ Quotas of paid antlerless-deer-only licenses will be established by county and deer population management area. ~~have quotas for each county and~~ They will be sold ~~for each county~~ until county or population management area quotas are reached. ~~The season that may be hunted with paid antlerless-deer-only licenses and the number that may be purchased depend on the season for which any deer licenses have been purchased.~~

a. Paid antlerless-deer-only licenses may be purchased for any season in counties where licenses are available, but they must be used in the season, county or deer population management area selected at the time the license is purchased.

b. Exception. No one may hunt in both the first regular gun season and second regular gun season with paid licenses, whether they are any-deer or antlerless-deer-only.

c. Prior to October 1 a hunter may purchase up to 3 antlerless-deer-only licenses for any season. Beginning October 1 a hunter may purchase an unlimited number of antlerless-deer-only licenses for any season until county or population management area quotas are filled. Licenses purchased for deer population management areas will not count in the county quota.

~~a. Bow season. A person who purchases a paid any deer bow license may purchase antlerless deer only licenses, but the type and number that may be purchased depend on the season for which the paid any deer firearm license is purchased (see paragraphs "b" through "f"). Prior to October 1, if no paid any deer firearm license is purchased, up to three paid antlerless-deer-only licenses may be purchased for the bow, first or second regular gun, or late muzzleloader season and up to three licenses may be purchased for the January antlerless-deer-only season. Beginning October 1, an unlimited number of antlerless deer only licenses may be purchased for these seasons. No person may obtain paid licenses of any type for both regular gun seasons.~~

~~b. First regular gun season. Prior to October 1, a person who purchases a paid any deer license for the first regular gun season may purchase the following paid antlerless deer only licenses: up to three licenses for the bow, first regular gun and late muzzleloader seasons and up to three licenses for the January antlerless deer only season. Beginning October 1, an unlimited number of paid antlerless deer only licenses may be purchased for these seasons. No person obtaining a paid license for the first regular gun season may obtain a paid license of any type for the second regular gun season.~~

~~c. Second regular gun season. Prior to October 1, a person who purchases a paid any deer license for the second regular gun season may purchase the following paid antlerless deer only licenses: up to three licenses for the bow, second regular gun or late muzzleloader season and up to three licenses for the January antlerless deer only season. Beginning October 1, an unlimited number of paid antlerless deer only licenses may be purchased for these seasons. No person obtaining a paid license for the second regular gun season may obtain a paid license of any type for the first regular gun season.~~

~~d. Early muzzleloader season. Prior to October 1, a person who purchases an any deer license for the early muzzleloader season may purchase the following paid antlerless deer only licenses: up to three licenses for the bow or early muzzleloader season and up to three licenses for the January antlerless deer only season. Beginning October 1, an unlimited number of paid antlerless deer only licenses may be purchased for these seasons.~~

~~e. Late muzzleloader season. Prior to October 1, a person who purchases a paid any deer late muzzleloader season license may purchase the following paid antlerless deer only licenses: up to three licenses for the bow, first regular gun or second regular gun, or late muzzleloader season and up to three licenses for the January antlerless deer only season. Beginning October 1, an unlimited number of licenses may be purchased for these seasons. No person may obtain paid licenses of any type for both regular gun seasons.~~

~~f. Paid any deer license not purchased. Prior to October 1, a person who does not purchase a paid any deer license for any season may purchase the following antlerless deer only licenses: up to three licenses for the bow, first regular gun or second regular gun, or late~~

~~muzzleloader season and up to three licenses for the January antlerless deer only season. Beginning October 1, an unlimited number of these licenses may be purchased. No person may obtain paid licenses of any type for both regular gun seasons.~~

~~106.6(3) November antlerless deer only season. Beginning the second Saturday prior to the opening of the November antlerless deer only season, an unlimited number of paid antlerless deer only licenses may be purchased for the November antlerless deer only season. These licenses may be obtained regardless of any other paid any deer or paid antlerless deer only licenses that may have been obtained. Licenses will be sold until county quotas are filled.~~

~~106.6(43) January antlerless Antlerless-deer-only licenses for the November and January seasons. Antlerless-deer-only licenses for the November antlerless-deer-only season and the January antlerless-deer-only season shall be available in all the counties highlighted in bold type in the list in 106.6(5). Prior to October 1, a person may purchase up to three antlerless deer only licenses for the January antlerless deer only season. Beginning October 1, an unlimited number of licenses may be obtained until quotas are filled. January antlerless deer only licenses may be obtained regardless of any other deer licenses that may have been obtained.~~

ITEM 5. Re-number subrule 106.6(5) and 106.6(6) and amend re-numbered subrule 106.6(5) as follows:

106.6(54) Free landowner/tenant licenses. A person obtaining a free landowner/tenant license may purchase any combination of paid bow and paid gun licenses available to persons who are not eligible for landowner/tenant licenses as described in 571—106.12(481A).

106.6(65) Antlerless-deer-only licenses. Paid antlerless-deer-only licenses will be available to ~~eligible persons~~ by county as follows:

County	Quota	County	Quota	County	Quota
Adair	1500	Floyd	500	Monona	650
Adams	1650	Franklin	350	Monroe	2500
Allamakee	3000	Fremont	850	Montgomery	800
Appanoose	3000	Greene	250	Muscatine	1500
Audubon	0	Grundy	0	O'Brien	0
Benton	1000	Guthrie	2500	Osceola	0
Black Hawk	0	Hamilton	200	Page	1100
Boone	500	Hancock	0	Palo Alto	0
Bremer	500	Hardin	500	Plymouth	0
Buchanan	500	Harrison	700	Pocahontas	0
Buena Vista	0	Henry	1900	Polk	750
Butler	1000	Howard	1200	Pottawattamie	1100
Calhoun	0	Humboldt	0	Poweshiek	750
Carroll	0	Ida	0	Ringgold	2250
Cass	600	Iowa	1200	Sac	0
Cedar	1000	Jackson	1600	Scott	1100
Cerro Gordo	0	Jasper	950	Shelby	0
Cherokee	0	Jefferson	1800	Sioux	0
Chickasaw	1500	Johnson	1900	Story	400
Clarke	1250	Jones	1400	Tama	800
Clay	0	Keokuk	1500	Taylor	2100
Clayton	3500	Kossuth	0	Union	1500

Clinton	1200	Lee	2500	Van Buren	3500
Crawford	0	Linn	1700	Wapello	2000
Dallas	1500	Louisa	1500	Warren	1150
Davis	3000	Lucas	1050	Washington	1900
Decatur	2500	Lyon	0	Wayne	2500
Delaware	1200	Madison	1500	Webster	0
Des Moines	2000	Mahaska	1100	Winnebago	0
Dickinson	0	Marion	1200	Winneshiek	2500
Dubuque	2000	Marshall	500	Woodbury	750
Emmet	0	Mills	850	Worth	0
Fayette	2000	Mitchell	400	Wright	0

ITEM 6. Rescind subrule 106.7(3) and adopt a **new** subrule as follows:

106.7(3) Muzzleloader seasons. Only muzzleloading rifles and muzzleloading pistols will be permitted for taking deer during the early muzzleloader season. During the late muzzleloader season deer may be taken with a muzzleloader, handgun, or bow as described in 94.7(1). Muzzleloading rifles are defined as flintlock or percussion cap lock muzzleloaded rifles and muskets of not less than .44 and not larger than .775 caliber, shooting single projectiles only. Centerfire handguns must be .357 caliber or larger shooting straight-walled cartridges propelling an expanding-type bullet (no full-metal jacket) and complying with all other requirements provided in Iowa Code section 481A.48. Legal handgun calibers are listed on the department of natural resources list of "Acceptable Handgun Calibers for Hunting Deer in Iowa." Revolvers, pistols and black powder handguns must have a 4-inch minimum barrel length. There can be no shoulder stock or long-barrel modifications to handguns. Muzzleloading handguns must be .44 caliber or larger, shooting single projectiles only.

ITEM 7. Amend subrule 106.7(5) as follows:

106.7(5) January antlerless-deer-only season. Bows, shotguns, muzzleloaders and handguns as described in this rule may be used during the January antlerless-deer-only season. Centerfire rifles .24 caliber or larger may be used during the last 7 days of the season in the southern two tiers of counties. Semi-automatic rifles may have no more than 6 rounds in the chamber and magazine combined. ~~and with a capacity of no more than six rounds in the chamber and magazine combined may also be used during the extended portion of the January antlerless-deer-only season that is open only in the southern two tiers of counties.~~

ITEM 8. Rescind subrule 106.7(7) and adopt a **new** subrule as follows:

106.7(7) Discharge of firearms from highway. No person shall discharge a rifle or handgun from a highway while deer hunting statewide. This includes muzzleloading rifles, muskets and handguns. In addition, no person shall discharge a shotgun shooting slugs from a highway north of U.S. Highway 30. A "highway" means the way between property lines open to the public for vehicle traffic, including the road ditch, as defined in Iowa Code section 321.1(78).

ITEM 9. Rescind subrule 106.8(3) and adopt the following **new** subrule in lieu thereof:

106.8(3) Providing false information.

a. Anyone who provides false information about the person's identity or eligibility for any paid or free landowner/tenant deer license and tag and who attests that the information is

correct by accepting and signing the license or tag shall have the person's hunting license revoked as a part of the sentencing for such criminal conviction and the person shall not be issued a hunting license for one year.

b. Anyone who provides false information about the person's personal identity, eligibility for resident deer licenses, shall have the person's hunting license revoked pursuant to the authority of rule 15.6 and the person shall not be issued a hunting license for one year.

c. In addition to any legal penalties that may be imposed, obtaining a license in violation of this rule shall invalidate that deer license and transportation tag and any other deer hunting license and transportation tag obtained during the same year.

ITEM 10. Amend subrule 571--106.10(1), paragraphs "a" and "b," as follows:

a. Youth deer hunt. A youth deer license may be issued to any Iowa resident who is ~~at least 12 years old but~~ not over 15 years old on the day the youth obtains the license. The youth license may be paid or free to persons eligible for free licenses. If the youth obtains a free landowner/tenant license, it will count as the one free any-deer license for which the youth's family is eligible. ~~The youth must possess a valid hunter education certificate issued by a state wildlife agency to obtain a license.~~

Each participating youth must be accompanied by an adult who possesses a regular hunting license and has paid the habitat fee (if the adult is normally required to have a hunting license and to pay the habitat fee to hunt). Only one adult may participate for each youth hunter. The accompanying adult must not possess a firearm or bow and must be in direct company of the youth at all times.

A person may obtain only one youth ~~paid~~ any-deer license but may also obtain the following additional licenses: ~~prior to October 1, one paid any deer bow or paid any deer firearm season license; up to three antlerless deer only licenses for the bow, first or second regular gun or late muzzleloader season; and up to three antlerless deer only licenses for the January antlerless deer only season. Beginning October 1, an unlimited number of these licenses may be obtained.~~ any other paid or free any-deer and antlerless-deer-only licenses that are available to other hunters. Antlerless-deer-only licenses must be obtained in the same manner that other hunters obtain them, as described in 106.6(2). No person may obtain a paid license of any type for both the first and second regular gun seasons. Beginning November 12, a youth hunter may purchase an unlimited number of licenses for the November antlerless deer only season until quotas fill.

b. Severely disabled hunt. Any severely disabled Iowa resident meeting the requirements of Iowa Code section 321L.1(8) may be issued one any-deer license to hunt deer during the youth season. A person applying for this license must either possess a disability parking permit or provide a completed form from the department of natural resources. The form must be signed by a physician verifying that the person's disability meets the criteria defined in Iowa Code section 321L.1(8). Forms are available online at www.iowadnr.com, by visiting the DNR central office or any district office, or by calling (515)281-5918. A person between 16 and 65 years of age must also possess a regular hunting license and have paid the habitat fee to obtain a license (if normally required to have a hunting license and to pay the habitat fee to hunt). A severely disabled person obtaining this license may obtain ~~one paid any deer bow license and up to three antlerless deer only licenses for the youth/disabled hunter or bow season.~~ any other paid and free any-deer and antlerless-deer-only licenses that are available to other hunters.

ITEM 11. Rescind subrule 106.12(7) and adopt the following new subrule in lieu thereof:

106.12(7) Number of licenses that may be obtained. The maximum number of free any-deer licenses for the youth/disabled hunter season, bow season, first and second regular gun seasons early muzzleloader season or late muzzleloader seasons is two per farm unit, one for the landowner (or family member) and one for the tenant (or family member). The maximum number of free and reduced fee antlerless-deer-only licenses that may be issued to the landowner (or family member) is four. One free antlerless-deer-only license and two reduced fee antlerless-deer-only licenses may be issued in any combination for the following seasons: youth/disabled hunter season (if eligible), bow season, November antlerless-deer-only (if any part of the farm unit is in a county open to during this season), first and second regular gun seasons, early muzzleloader season and late muzzleloader season. An additional free antlerless-deer-only license for the January antlerless-deer-only season is available to the landowner (or family member) and tenant (or family member) if any part of the farm unit is in a county open during this season. The tenant (or family member) may obtain the same number and type of licenses as the landowner (or family member). If there is no tenant, the landowner family is restricted to one free any-deer license, one free antlerless-deer-only license, two reduced-fee licenses and one antlerless-deer-only for the January season (if available for the farm unit). The tenant family is restricted to the number of tenant licenses described above even if the tenant farms land for more than one landowner.

ITEM 11. Add **new** subrule 106.12(8) as follows:

106.12(8) Registration of landowners and tenants. Landowners and tenants and their eligible family member that want to obtain free deer hunting licenses must register with the department before the free licenses will be issued. Procedures for registering are described in 571--95.2(481A).

ITEM 12. Adopt **new** rule 106.13(481A) as follows:

571--106.13(481A) Harvest reporting. Each hunter that bags a deer must report that kill according to procedures described in 571--95.1(481A).

Date

Jeffrey R. Vonk, Director

Laverne Woock, Iowa Bowhunters Association, commented on 106.1(7), Free and Reduced-fee deer licenses for landowners and tenants. He said the IBA also opposes letting hunters select any season for antlerless-only licenses.

Motion was made by Commissioner Francisco to approve Notice of Intended Action—Chapter 106, Deer Hunting by Residents. Seconded by Commissioner Schneider.

Commissioner Francisco suggested that the new subrule 106.12(7) Number of licenses that may be obtained, be rewritten to clarify the regulation. He noted that it states the maximum number of free and reduced fee antlerless deer-only licenses that may be issued to the landowner (or

family member is four, but the remainder of the paragraph explains how a landowner is entitled to five.

Discussion continued regarding statistics from this past hunting season. Commissioner Garst asked if enough does were taken in southern Iowa.

Mr. Little noted that the special rifle season was quiet and permits were sold, but the final count numbers are not yet in.

Motion carried unanimously.

NOTICE APPROVED

NOTICE OF INTENDED ACTION—CHAPTER 107, RABBIT AND SQUIRREL HUNTING

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to amend Chapter 107, Rabbit and Squirrel Hunting. The amendment reduces the bag and possession limits for jackrabbits.

**NATURAL RESOURCE COMMISSION [571]
Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 107, "Rabbit and Squirrel Hunting," Iowa Administrative Code.

This amendment reduces the bag limit for white-tailed jackrabbits from 2 daily and 4 in possession to 1 daily and 2 in possession.

Any interested person may make written suggestions or comments on the proposed amendment on or before April 18, 2006. Written comments may be directed to the Wildlife Bureau's website at www.iowadnr.com or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515)281-6156 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building. Also, there will be public hearings held at 18 locations via the Iowa Communications Network on April 18, 2006. Interested persons should contact the Department at (515)281-5918 for a list of hearing locations or go to the Department's website at www.iowadnr.com. Persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

This amendment is intended to implement Iowa Code sections 481A.5, 481A.6, 481A.8 and 481A.39.

The following amendment is proposed.

Amend rule 571--107.2(481A) as follows:

571—107.2(481A) Jackrabbit season. Open season for hunting jackrabbits shall be from the last Saturday in October through December 1 of each year. Bag limit shall be ~~2~~ 1 per day; possession limit ~~4~~ 2.

Legal hunting hours shall be from sunrise to sunset. Entire state open.

Date

Jeffrey R. Vonk, Director

Motion was made by Commissioner Schneider to approve Notice of Intended Action—Chapter 107, Rabbit and Squirrel Hunting. Seconded by Commissioner Moore. Motion carried unanimously.

NOTICE APPROVED

NOTICE OF INTENDED ACTION—CHAPTER 108, FURBEARER TRAPPING SEASONS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to approve the attached amendments to Chapter 108 - Furbearer Trapping Seasons. The amendments establish a river otter trapping season with quotas, zones, tagging and reporting requirements.

NATURAL RESOURCE COMMISSION [571] Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 108, Mink, Muskrat, Raccoon, Badger, Opossum, Weasel, Striped Skunk, Fox (Red And Gray), Beaver, Coyote, River Otter, Bobcat, Gray (Timber) Wolf And Spotted Skunk Seasons, Iowa Administrative Code.

These amendments add a new trapping season for river otters.

Any interested person may make written suggestions or comments on the proposed amendments on or before April 18, 2006. Written comments may be directed to the Wildlife Bureau's website at www.iowadnr.com or may be sent to the Wildlife Bureau Chief, Department of Natural Resources, Wallace State Office Building, Des Moines, Iowa 50319-0034; fax (515) 281-6794. Persons who wish to convey their views orally should contact the Wildlife Bureau at (515) 281-6156 or at the Wildlife Bureau offices on the fourth floor of the Wallace State Office Building.

Also, there will be public hearings held at 18 locations via the Iowa Communications Network on April 18, 2006. Interested persons should contact the Department at (515)281-5918 for a list of hearing locations or go to the Department's website at www.iowadnr.com. At the hearings, persons may present their views either orally or in writing. At the hearings, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearing and have special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources and advise of specific needs.

These amendments are intended to implement Iowa Code sections 481A.5, 481A.6, 481A.8 and 481A.39.

The following amendments are proposed.

ITEM 1. Amend rule 571--108.6(481A), as follows:

571--108.6(481A) ~~River otter, bobcat~~ Bobcat, gray (timber) wolf, and spotted skunk. Continuous closed season.

ITEM 2. Adopt the following new rule 571--108.7(481A):

571--108.7(481A) River otter trapping.

108.7(1) License requirements. Each person that traps river otters must have a valid furharvesters license and pay the habitat fee if normally required to have them to trap.

108.7(2) Areas open to trapping. Trapping for river otters will be open statewide.

108.7(3) Quotas and Seasonal bag limit.

a. Seasonal bag limits. The seasonal bag limit is 2 river otters per trapper.

b. Quotas. The quota for the number of river otters that may be taken is 400 statewide. The season will end when the number of river otters trapped, as determined by the harvest reporting system, reaches 400. Trappers will be allowed a 72-hour grace period after the quota is reached to clear their traps of river otters. River otters found in traps during the grace period may be kept even though the quota is exceeded, as long as the trapper has not reached his or her personal bag limit. River otters trapped after the grace period or in excess of the seasonal bag limit must be turned over to the department; the trapper will not be penalized.

108.7(4) Season dates. The season for trapping river otters will open on the same date as the trapping seasons described in 571--108.1(481A) and close when the quota has been reached, as explained in this rule, or January 31 of the following year, whichever occurs first.

108.7(5) Reporting requirements. Trappers who bag a river otter, including landowners and tenants not required to have a furharvester license, must report their harvest to a DNR conservation officer within 24 hours. The trapper must arrange to receive a CITES tag or Iowa River Otter Harvest Tag from the officer within 72 hours of the time it is reported or before the river otter is skinned, whichever first occurs.

a. Conservation officer reporting. Upon receiving a telephone report from a trapper that a river otter has been legally taken, conservation officers will call the department's harvest reporting system. The number of river otters taken will be updated daily and a message recorded on the department's telephone system. The number taken will be available 24 hours a day.

Trappers may check the message daily to determine when the season closes and the grace period begins and ends. The department will use all practical means to publicize these dates.

108.7(6) Tagging requirements. Every river otter that may legally be kept by a trapper must have a CITES or Iowa River Otter Harvest Tag attached. Tags will be supplied by the conservation officer. The tag must remain with the pelt until the pelt is sold or used for other purposes that renders it no longer available for sale. Persons displaying river otters as taxidermy mounts or other decorative items must keep the tag in their possession as proof of legal harvest.

ITEM 3. Adopt the following new rule 571--108.8(481A):

571--108.8(481A) Accidental capture of a river otter or bobcat during a closed season. Persons that accidentally capture a river otter or bobcat during a closed season or after the person's individual bag limit has been reached will not be penalized as long as the following circumstances occur:

108.8(1) The river otter or bobcat is captured during a legal trapping season or as part of a legal depredation control process.

108.8(2) A conservation officer is contacted within 24 hours and the river otter or bobcat and all parts thereof are turned over to a conservation officer as soon as practical.

Date

Jeffrey R. Vonk, Director

Roger Hutton, Iowa Trappers Association, St. Charles, Iowa, commented regarding the bobcat season. He said there are many bobcats; they are caught, some are harvested and some are released. He said just because people don't see them, doesn't mean they are not out there. He added that research shows there are there are bobcats. Mr. Hutton remarked that he received a letter from Mr. Vonk as a reward for his volunteer work. He said this means very little if they don't get a season. He asked the commission to go forward with a bobcat season.

Becca Rebarcak, Lovilia, Iowa, talked about her experiences of trapping with her dad. She said the otter population is high enough to have a season to harvest otters. She noted that otters are eating a lot of fish and a season will help the fishermen out by having more fish to catch.

George Scalf, National Trappers Association, from Ottumwa, Iowa, commented that Becca Rebarcak was speaking on behalf of her family, who makes their living from the natural resource. Mr. Scalf said there are more bobcats than anyone knows about and said that if a bobcat season is put in, quotas would be filled the first day. He said they know that bobcats and otters are going into Missouri so you are not getting all the data. He added that there is enough data now to support a season. Mr. Scalf asked for a show of hands from the public in attendance at the meeting who supported a otter and bobcat season. Approximately 25 persons raised their hand in a show of support.

John Frieden, Albia, Iowa, presented the following letter to be read included in public comments.

“I fully support and recommend that the Iowa Department of Natural Resources continue to take the necessary steps to have a limited bobcat and river otter season beginning in 2006 to coincide with the opening of the regular trapping season in November. As a professional conservationist, and a trapper and hunter I believe that Iowa DNR has gathered the necessary data to support the proposal. I believe in the wise use of our natural resources, not only for population health and maintenance, but for the enjoyment of the public. It’s time to start practicing good conservation and the proposed seasons will begin the process.”

Ken Herring remarked that staff has provided every effort to ensure public review and comment on bobcats and otters. He said that otters have been accepted as making a comeback and their impacts on the fishing population noted. He added that a lot of people are “on the fence” with regard to a bobcat season and science is a little less clear on bobcats. Mr. Herring related that it is important to help other Iowans know more about the species; in addition he looks forward to the participation of the consumptive users in helping the public understand bobcats.

Motion was made by Commissioner Francisco to approve Notice of Intended Action—Chapter 108, Furbearer Trapping Seasons. Seconded by Commissioner Garst.

Commissioner Francisco commented that it may be necessary at some point to look at the two otter limit, because of the abundance of otters and trappers. He said that limit may be inappropriate later on.

Motion carried unanimously.

NOTICE APPROVED

FINAL RULE—CHAPTER 40, BOATING SPEED AND DISTANCE ZONING

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission amends Chapter 40, “Boating Speed & Distance Zoning” Iowa Administrative Code. This amendment includes two new rules.

The department was petitioned by the Dubuque County Conservation Board and the US Fish & Wildlife Service to establish a “no-wake” zone at Mud Lake on the Mississippi River in Dubuque County. No comments were received and no changes were made from the Notice of Intended action.

The department was petitioned by the East Okoboji Lakes Improvement Corporation to establish a one-half hour after sunset to sunrise speed limit for vessels operating on all lakes in Dickinson County. Comments were received during the public comment period electronically; by mail; and verbally at the public hearings held in the Wallace building and locally in Arnolds Park. The majority of the comments were in agreement that a nighttime speed limit should be established. A synopsis of the comments received is attached for your review. No changes have been made from the Notice of Intended Action.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resources Commission adopts amendments to Chapter 40, "Boating Speed and Distance Zoning," Iowa Administrative Code.

The Department was petitioned by the Dubuque County Conservation Board and the US Fish & Wildlife Service to draft a rule, which will establish a "no-wake" zone in a portion of a backwater area known as Mud Lake on the Mississippi River in Dubuque County. The Dubuque County Conservation Board will be responsible for placement of buoy markers to designate the zoned area. This request is being made in an effort to reduce the negative impacts of large vessels operated at higher speeds and resulting shoreline erosion, excessive noise levels, and protect the integrity of the Mud Lake area.

The Department was petitioned by the East Okoboji Lakes Improvement Corporation for rulemaking which would establish a nighttime speed limit for all vessels on all Dickinson County lakes between the hours of one-half hour after sunset to sunrise. This is a boating safety issue which concerns limited sight visibility during night-time hours as having a direct effect on a boat operator's ability to recognize and avoid potential hazards.

Notice of Intended Action was published in the Iowa Administrative Bulletin on January 4, 2006, as ARC4794B. No comments were received during the comment period for the "Mud Lake" amendment. No changes were made from the Notice of Intended Action. Comments were received during the comment period for the nighttime speed limit on all lakes in Dickinson County electronically; by mail; and verbally at the public hearings held in the Wallace Building and locally at Arnolds Park. The majority of the comments were in agreement that a nighttime speed limit should be established. No changes have been made from the Notice of Intended Action.

These amendments are intended to implement Iowa Code section 456A.24.

The following amendments will become effective May 3, 2006.

Amend 571—Chapter 40 by adopting the following new rules:

571--40.52(462A) Nighttime Speed Limit, Dickinson County. No vessels, except authorized emergency vessels, shall be operated at speeds greater than twenty five miles per hour at any time between the hours of one-half hour after sunset and sunrise on all lakes located in Dickinson County.

571—40.53(462A) Zoning of the Mississippi River, Mud Lake, Dubuque County.

All vessels shall be operated at a no-wake speed within the area of river mile markers 587.6 to 589.3, in a backwater known as Mud Lake and designated by marker buoys approved by the Natural Resource Commission.

Date

Jeffrey R. Vonk, Director

Motion was made by Commissioner Schneider to approve Final Rule—Chapter 40, Boating Speed and Distance Zoning. Seconded by Commissioner Moore. Motion carried unanimously.

FINAL RULE APPROVED

FINAL RULE—CHAPTER 61, STATE PARKS AND RECREATION AREAS

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Commission approval is requested for amendments to Chapter 61, “State Parks and Recreation Areas”. In compliance with Iowa Code section 17.A.4(2), the Division finds that the notice and public participation are unnecessary because the amendment is updating the state preserves list to include three new dedicated state preserves, minor corrections to the spelling and names of state preserves and providing clarification regarding the dedication of state preserves pursuant to Iowa Code section 465C.10. The amendments include:

1. Clarify that a state preserve is dedicated by actions pursuant to Iowa Code section 465C.10.
2. Update the state preserve listing to include three new state preserves.
3. Minor editing changes to state preserve names which do not change the substance of the definition.

NATURAL RESOURCE COMMISSION [571]

Adopted and Filed without Notice

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby amends Chapter 61, “State Parks and Recreation Areas,” and Chapter 62, “State Forest Camping,” Iowa Administrative Code.

The amendments accomplish the following:

1. Clarifies that a state preserve is dedicated by actions pursuant to Iowa Code section 465C.10.
2. Updates the listing to include three new state preserves.
3. Minor editing changes to state preserve names which do not change the substance of the definition.

In compliance with Iowa Code section 17.A.4(2), the Commission finds that the notice and public participation are unnecessary because the amendment is updating the state preserves list to include three new dedicated state preserves, minor corrections to the spelling and names of state preserves and providing clarification regarding the dedication of state preserves pursuant to Iowa Code section 465C.10.

These rules are intended to implement Iowa Code sections 461A.3, 465C.8 and 465C.10.

These amendments will become effective May 17, 2006.

The following amendments are proposed.

ITEM 1. Amend rule 61.2(461A), definition of "state preserve," as follows:

"State preserve" means the following areas or portion of the areas ~~designated by action of the natural resource commission and state preserves advisory board:~~ dedicated by actions pursuant to Iowa Code section 465C.10:

<u>Area</u>	<u>County</u>
A. F. Miller	Bremer
Ames High Prairie	Story
Anderson Prairie	Emmet
Behrens Ponds and Woodland	Linn
Berry Woods	Warren
Bird Hill	Cerro Gordo
Bixby	Clayton
Bluffton Fir Stand	Winneshiek
Brush Creek Canyon	Fayette
Brushy Creek	Webster
Cameron Woods	Scott
Casey's Paha	Tama
Catfish Creek	Dubuque
Cayler Prairie	Dickinson
Cedar Bluffs Natural Area	Mahaska
Cedar Hills Sand Prairie	Black Hawk
Cheever Lake	Emmet
Clay Prairie	Butler
Claybanks Forest	Cerro Gordo
Coldwater Cave	Winneshiek
Crossman Prairie	Howard
Decorah Ice Cave	Winneshiek
Derald Dinesen Prairie	Shelby
Doolittle Doolittle Prairie	Story
<u>Eureka Woods</u>	<u>Greene</u>
Fallen Rock	Hardin
Fish Farm Mounds	Allamakee
Five Ridge Prairie	Plymouth
Fleming Woods	Poweshiek
Fort Atkinson	Winneshiek
<u>Fossil and Prairie Park</u>	<u>Floyd</u>
Freda Haffner Kettlehole	Dickinson
Gitchie Manitou	Lyon
Hanging Bog	Linn
Hardin City Woodland	Hardin
Hartley Fort	Allamakee
<u>Hartman Bluff</u>	<u>Black Hawk</u>
Hayden Prairie	Howard
Hoffman Prairie	Cerro Gordo
Indian Bluffs Primitive Area	Jones
Indian Fish Trap	Iowa
Kalsow Prairie	Pocahontas

Kish-Ke-Kosh <u>Prairie</u>	Jasper
Lamson Woods	Jefferson
Liska-Stanek Prairie	Webster
Little Maquoketa River Mounds	Dubuque
Malanaphy Springs	Winneshiek
Malchow Mounds	Des Moines
Manikowski Prairie	Clinton
Mann Wilderness Area	Hardin
Marietta Sand Prairie	Marshall
Mericle Woods	Tama
Merrill A. Stainbrook	Johnson
Merritt Forest	Clayton
Montauk Historical Site	Fayette
Mossy Glen	Clayton
Mount Talbot	Woodbury and Plymouth
Mt. <u>Mount</u> Pisgah Cemetery	Union
Nestor Stiles <u>Prairie</u>	Cherokee
Ocheyedan Mound	Osceola
Old State Quarry	Johnson
Palisades-Dows	Linn
Pecan Grove	Muscatine
Pellett Memorial Woods	Cass
Pilot Grove	Iowa
Pilot Knob	Hancock
Retz Memorial Woods	Clayton
Roberts Creek	Clayton
Rock Creek Island	Cedar
Rock Island Botanical	Linn
Roggman Boreal Slopes	Clayton
Rolling Thunder Prairie	Warren
Savage Memorial Woods	Henry
Searryl's Cave	Jones
Sheeder Prairie	Guthrie
Silver Lake Fen	Dickinson
Silvers-Smith Woods	Dallas
Slinde Mounds	Allamakee
St. James Lutheran Church	Winneshiek
Starr's Cave	Des Moines
Steele Prairie	Cherokee
Stinson Prairie	Kossuth
Strasser Woods	Polk
Sylvan Runkel	Monona
Toolesboro Mounds	Louisa
Turin Loess Hills	Monona
Turkey River Mounds	Clayton
White Pine Hollow	Dubuque

Williams Prairie	Johnson
Wittrock Indian Village	O'Brien
Woodland Mounds	Warren
Woodman Hollow	Webster
Woodthrush Woods	Jefferson

Use and management of these areas are governed by rules established in this chapter as well as by management plans adopted by the preserves advisory board.

Date

Jeffrey R. Vonk, Director

Motion was made by Commissioner Moore to approve Final Rule—Chapter 61, State Parks and Recreation Areas. Seconded by Commissioner Francisco. Motion carried unanimously.

FINAL RULE APPROVED

CONCESSION CONTRACT RENEWAL—BEED'S LAKE STATE PARK

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The staff has received requests for renewal of the concession contract at Beed's Lake State Park near Hampton in Franklin County as permitted under Chapter 571 - 14 of the Administrative Code. Notice of intent to renew Beed's Lake was published in the Des Moines Register newspaper on January 8 and January 4 in the local newspaper. No comments were received regarding the renewal request. The following is the current contract provisions and proposed stipulations for the renewal.

Beed's Lake State Park – Kim Johnson, concessionaire

The operation is a full service concession offering snack-type food service, convenience store items, bait sales, boat rental, firewood sales and operation of the lodge and open shelter rentals. The concessionaire will pay the following fees to the State for the concession operation (excludes lodge and shelter rentals): \$520 each year (2006-2010). The concessionaire will pay the following fees to the States for the lodge and open shelter rentals each year of the contract: 50% of gross rental revenue. This renewal will extend the contract period to the year 2010.

Commission approval is requested for renewal of the concession contract to Kim Johnson for Beed's Lake State Park.

Motion was made by Commissioner Schneider to approve the renewal of the concession contract to Kim Johnson for Beed's Lake State Park. Seconded by Commissioner Moore. Motion carried unanimously.

CONTRACT APPROVED

LAKE VIEW OFF-HIGHWAY VEHICLE PARK

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Commission approval is requested to officially designate the motorized recreation area known as the Lake View Off-Highway Vehicle Park, a 147 acre facility in Johnson County, as a “designated all-terrain vehicle riding area” as provided for under Iowa Code 321I and the Administrative Rule Chapter 571-28.13(2).

The proposed land for the Lake View Off-Highway Vehicle Park has met or exceeded all of the expenditure and acquisitions requirements outlined in 571-28.13. and required under the Department ATV Land Acquisition Policy.

By providing Commission designation to the riding area, the land title holder (United States Army Corp.) and the riding area sponsor (Dirt Surfers Inc.), will be eligible to expend Department approved, Iowa All-Terrain Vehicle Registration Revenue Cost-Share Program funds to develop the Lake View Off-Highway Vehicle Park.

<i>Motion was made by Commissioner Francisco to officially designate the motorized recreation area known as the Lake View Off-Highway Vehicle Park as a “designated all-terrain vehicle riding area”. Seconded by Commissioner Moore.</i>

Commissioner Francisco expressed concern of possible soil erosion problems near the stream. David Downing related that the concerns regarding the stream and water quality issues have been addressed.

<i>Motion carried unanimously.</i>

OHV PARK APPROVED

LANDOWNER INCENTIVE PROGRAM PROJECT

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Steele Family Ltd. Partnership LIP agreement. This 76 acre project is all diverse native prairie remnant adjacent to TNC and IDNR owned lands in the Waterman Prairie Area and Little Sioux Watershed LIP Priority Area. The project will include tree and brush removal, prescribed fire, fencing, as well as deferred grazing payments at a cost of \$53,935 over a three year period. LIP

will pay 75% of the cost or \$40,453 and the Steele Family will pay the remaining 25% or \$13,482. This tract should have excellent potential for restoration with the proposed management, and it is a critical tract in the larger Waterman Prairie complex.

Commissioner Garst questioned whether the family was really contributing the 25% if they already own the land. Discussion followed regarding the requirements of the LIP program.

Motion was made by Commissioner Garst to approve the Steele Family Ltd. Partnership Landowner Incentive Program Project. Seconded by Commissioner Moore. Motion carried unanimously.

PROJECT APPROVED

BAT ROOST SURVEY CONTRACT

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Recent studies have documented the use of buildings and bridges by listed bat species, such as the Indiana bat. Surveys of buildings and bridges in southern Iowa will help determine the value of these structures to the various bat species. This is the second year of a three year survey. Surveys were conducted in Madison, Marion and Lucas Counties in 2005.

The study will take place in Decatur, Mahaska, and Van Buren Counties in 2006. The scope of services in this contract will be:

- Identify 25 barns and other buildings with signs of bat roosting and complete surveys to determine species and numbers of bats using these structures.
- Identify 15 bridges and determine species and numbers of bats using these structures for night roosts.
- If Indiana bats are found to be using these structures during the first two years of the study, up to 20 bats will be captured and radio tagged during year three to determine the importance of these roosts.

Funding for the study is provided by the U.S. Fish and Wildlife Service (75%) and IDNR staff time as the 25% match. The amount of federal funds available is \$21,532 for 2006 and \$17,292 for 2007. Because the amount of funding is fixed, the Request for Proposals asked for the number of hours to be provided by the contractor and the qualifications of the contractor.

Four bids were received. The three contractors with the required permits are as follows:

1. Dr. Russell Benedict, Department of Biology, Central College, Pella, Iowa
2. Environmental Solutions & Inovations, Inc., Cincinnati, Ohio
3. Dr. John Whitaker, Indiana State University Terre haute, Indiana

The number of hours proposed by the contractors is as follows:

Benedict	1,460 hours
ESI	1,031 hours
Whitaker	390 hours

Based on the fact that all three contractors are qualified to conduct the study, staff recommends that the contract be awarded to Dr. Benedict because he is offering the greatest number of hours.

Motion was made by Commissioner Francisco to approve a contract with Dr. Russell Benedict, Department of Biology, Central College, Pella, Iowa to conduct bat roost surveys. Seconded by Commissioner Kramer. Motion carried unanimously.

CONTRACT APPROVED

CONTRACT WITH ISU—EFFECTS OF COMMERCIAL HARVEST OF SHOVELNOSE STURGEON

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Approval is requested for the Department of Natural Resources to enter into a Contract with Iowa State University to initiate a three year study of the shovelnose sturgeon, a species under extreme pressure from commercial fishing due to the value of eggs for caviar. The study will be funded by the Fish and Wildlife Trust Fund and is scheduled for 3 years at a cost of \$71,472.

Like other sturgeons, the life history of shovelnose sturgeon indicates it is sensitive to harvest and un-likely to recover easily from dramatic population declines. The proposed research will describe the important life history variables of size structure, age structure, growth rates, sex ratios and fecundity. This information will be used to properly regulate sport and commercial harvest of the species on the Upper Mississippi River.

We recommend that the Department enter into this contract with Iowa State University.

Motion was made by Commissioner Francisco to approve a contract with Iowa State University regarding the effect of commercial harvest of shovelnose sturgeon. Seconded by Commissioner Kramer. Motion carried unanimously.

CONTRACT APPROVED

AGREEMENT WITH HUNGRY CANYONS ALLIANCE

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Approval is requested for the Department of Natural Resources to enter into an Agreement with the Hungry Canyons Alliance (Alliance) so it can receive \$50,000 in Fish Habitat funds (Fish and Wildlife Trust Fund). These funds shall be used as cost share dollars for a \$200,000 Congressional appropriation and are listed in the Fisheries Bureau fiscal 2006 budget.

Channel erosion in western Iowa streams is a major threat to public and private infrastructure and it is estimated to have caused more than \$1.1 billion in damages. In 1992, Hungry Canyons Alliance, a non-profit corporation, representing 22 counties was formed to research and implement solutions to control stream channel erosion in the deep loess soils region of western Iowa. Weir structures were found to be the most effective in stopping channel erosion. But the first structures built did not permit fish passage.

In 1995, the Iowa Department of Natural Resource began partnering with the Alliance to research a weir design that effectively stopped channel erosion and allowed fish passage. Trust Fund dollars matched with the Congressional appropriation shall be used to modify existing weir structures that prohibit fish movement. The Fisheries Bureau staff works closely with the Alliance to select projects that have the most benefit to stream fisheries. Seven weirs on Walnut Creek, Montgomery County have been selected for funding.

We recommend that the Department enter into a contract agreement with the Hungry Canyons Alliance.

Motion was made by Commissioner Schneider to enter into a contract agreement with Hungry Canyons Alliance in order for them to administer funds to counties to benefit weir projects. Seconded by Commissioner Moore. Motion carried unanimously.

CONTRACT APPROVED

APPEAL OF PROPOSED DECISION—JOSEPH W. GORSKI

Jon Tack, Legal Services, presented the following item.

On February 28, 2005, the Department issued a letter notifying Joseph W. Gorski of the intent to revoke and suspend his hunting licenses for a period of one year due to convictions for violations of Iowa game laws. Mr. Gorski appealed and the matter was presented to Administrative Law Judge Paul McIntyre. The evidence presented was determined to support a two year suspension of Mr. Gorski's hunting licenses. On October 10, 2005, Judge McIntyre issued a Decision upholding the Department's suspension and revocation of the hunting licenses of Joseph W. Gorski for a period of two years.

Mr. Gorski is now appealing this Decision to the Commission. The Commission may uphold the Decision of the Administrative Law Judge, reverse the Decision, or modify the Decision in accordance with the applicable statutes and rules.

Jon Tack, Attorney, Legal Services Bureau, reviewed the aspects of the Joseph Gorski case. He said that following an appeal by Mr. Gorski, evidence was presented that supported a two year suspension of Mr. Gorski's hunting license. The Administrative Law Judge issued a decision upholding the Department's suspension and revocation of Mr. Gorski's hunting licenses for a period of two years.

David Richter, Attorney for Joseph Gorski, presented a chronological summary of the circumstances resulting in the issuance of tickets by the conservation officer and the initial charges resulting in a one year suspension of his hunting license. He noted the hearing before the Administrative Law Judge in which it was found that Mr. Gorski actually was cited and convicted of charges resulting in a total number of points that the would result in a two year suspension rather than a one year suspension. Mr. Richter explained that if the officer had written out the tickets correctly, rather than dividing the charges among the four in the hunting party, Mr. Gorski's charges would be for a one year suspension. He asked that out of fairness and not culpability, that the commission use their power to change the suspension back down to one year.

Director Vonk pointed out that the case has been through court review and fairly judged.

Commissioner Kramer commented that they would be on shaky ground if they tried to second guess what the court has decided, and to further question the reasoning and rationale of the field officer who had knowledge of all the facts of the case at the time of writing citations..

Motion was made by Commissioner Francisco to uphold the decision of the Administrative Law Judge. Seconded by Commissioner Kramer. Motion carried unanimously.

ALJ DECISION UPHELD

CONSERVATION AND RECREATION DONATIONS.

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Natural Resource Commission is requested to accept the following donations:

Parks Bureau:

1. The following donated to the construction of an Osprey Hack Tower at Elk Rock State Park (photo attached)
 - Dick Kraayenbrink donated labor and materials valued at \$450.00 for construction of the stairway.
 - Spahn and Rose Lumber Company donated wood screws valued at \$107.00 for the construction.
 - Pella Christian High School donated \$1000.00 to fund the acquisition of two Osprey chicks.
 - Mid-American Energy donated 4 utility poles and installation of 200 ft of electrical line. They requested the donation amount remain undisclosed.
 - Leachman Lumber donated lumber valued at \$1000.00 for the construction.
 - Knoxville Farm and Home donated rental fee for a power lift valued at \$120.00 to use in the construction.
 - Pella Cooperative donated two utility poles valued at \$300.00 and installation for the Osprey nest structures.
2. Adair County Pheasants Forever donated the use of a no-till drill to drill 21.7 acres of native prairie for a value of \$173.60 at Lake Anita State Park.

3. Shirley Moles donated \$100.00 to Waubonsie State Park for their general use.

Law Enforcement Bureau

1. Lisa Welsh and her class at Allamakee schools in Lansing donated \$50.00 as a “thank you” for a class conducted by Deb Howe. The money will be used toward hunter education classes.
2. The Iowa Great Lakes Water Safety Council donated a boat trailer #1C9DB232430842341 valued at \$1500.00 to haul the donated 25’ Baja patrol boat.

Fisheries Bureau

1. The National Marine Manufacturers Association donated \$1000.00 for providing fish for display at the Des Moines Sports Show.

Wildlife Bureau

1. Allen Pohren donated \$26.00 to the Fish and Wildlife Trust Fund.

Motion was made by Commissioner Schneider to approve the Conservation and Recreation Donations. Seconded by Commissioner Francisco. Motion carried unanimously.

DONATIONS APPROVED

DONATION/RECOGNITION POLICY

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is requested to approve the Donation/Recognition Policy as attached.

DONATION AND RECOGNITION POLICY

The Department of Natural Resources values the widespread support of individuals, foundations, corporations, non-profit organizations, service clubs and other entities, and seeks to foster philanthropic traditions through recognition of this support. These partnerships enhance our existing programs, provide the best possible quality in our programming, facilities and services, and offer the reward of clear and direct participation for the donor in the conservation of our natural and cultural resources.

The Department also faces an increased demand for expansion and development of new facilities and programming. The cost of development, maintenance, and operation of facilities is ~~sharply escalating~~ increasing; however, our budgets for these items are, at best, stable and often shrinking. Thus, partnerships, fundraising, and donations received under this policy will enable DNR to continue to provide, and possibly expand, the high-quality experiences for its visitors and citizens of Iowa while remaining vigilant of future maintenance and management costs.

I. Department of Natural Resources Donation Policy

The Department Policy shall be consistent with any rules governing State Agencies as provided for by Iowa law, Chapter 565.3. All donations directed or intended to be directed to the Department, its employees in the performance of their duties, or targeted to individual Department facilities, should go before the Natural Resources—Commission (NRC) for appropriate recognition, review, and acceptance. Following NRC acceptance, all donations will be acknowledged with a letter of appreciation to the donor(s).

The following types of donations are hereby encouraged and recognized as being highly valuable to this Department and to the citizens of Iowa. The NRC and the DNR encourage Iowa's citizens to participate in enhancing and preserving our natural resources through donations of the following kinds.

A. Land – Donations for land may include the following:

1. Fee Title: All land rights to be vested in the State of Iowa.
2. Conservation Easement: Granting the Department perpetual covenants that convey protection, restrictions, or public access to a land parcel for the express purpose of protecting, enhancing, or preserving conservation values of the property.
3. Quit claim deed: Legal document by a landowner giving real or perceived property rights usually to clear title or settle contested or inaccurate boundaries.
4. Bargain sale: Landowner accepting below appraised value for land.

B. Labor – Donations of labor that result in the enhancement or completion of individual projects, important activities, or programs contributing to the Department's mission include, but are not limited to, the following:

1. Volunteer Labor: constructing or improving facilities, teaching, completing office work.
2. Professional Services: research, surveys, conducting an appraisal.
3. Equipment Operation: providing a tractor and operator, heavy equipment operation, prairie seeding, tree moving, etc.
4. Program Partnerships: Friends groups, conservation organizations, governmental agencies, individual leadership for specific programs or causes, river or lake cleanup effort, etc.

C. Cash

1. Memorials of cash
2. Specific fund raising events that generate cash. (Examples: park Friends' group-playground equipment, Ducks Unlimited-Larry Wilson Marsh, Pheasants Forever-efforts to lead a land acquisition project.)
3. Program support and earmarks that generate cash. (Examples: HUSH, TIP, Chickadee Check-off, etc.)
4. Program leverage dollars (generally viewed as "match"). Private individual, government agency, or conservation partner provides in-kind

(soft) or cash (hard) match to leverage program dollars (examples: Landowner cost-share programs, LIP easements, Forestry Legacy easements, etc.)

D. Physical Assets

1. Materials: lumber, rock, posts, seed, wood, metal, posts, pipes, barrels, paint, etc.
2. Equipment: land mowers, tractors, binoculars, etc.
3. Structures: nesting boxes, playground equipment, etc.

II. Department of Natural Resources Recognition Policy

The DNR believes it is important to recognize the contributions of individuals, groups, organizations, and all partners for their important and generous donations. In addition, the DNR may choose to recognize outstanding contributions to conservation efforts, programs, or leadership by conveying naming rights to individual land parcels, parks, wildlife areas, or features of various constructed facilities. The DNR believes such recognition is important and will benefit the DNR mission and the citizens of Iowa by fostering traditions, partnerships, and pride in Iowa's natural resources.

The DNR recognizes it holds, in public trust, some of the most historic, unique, rare, and precious natural areas in the state. The DNR further recognizes, first and foremost, that the integrity of these special places, structures, or features be preserved and maintained for the citizens of Iowa. Therefore, the following guidelines have been developed:

- A. General Policy: It is the Department's policy to provide appropriate acknowledgement of contributions from donors and sponsors. To protect our resources, values, and the visitor experience, recognition shall respect the dignity and focus of the various properties. Therefore, the following principles for recognition shall apply:
1. Forms of recognition shall not detract from the visitor's experience or expectation.
 2. Forms of recognition shall not impair the visual qualities of the property environment.
 3. Forms of recognition shall not be perceived as advertising or commercializing the character of the property setting or create a feeling of proprietary interest by the donor.
 4. In all forms of recognition, the donor's wishes for anonymity shall be respected.
 5. Except in very limited circumstances, neither temporary nor permanent recognition should be affixed to cultural or natural resources of the site, be placed where they would intrude on the historic or natural character of the resource, or upon items of uniform apparel or their accoutrements.
 6. Forms of recognition should be placed to minimize interference with routine property operations or visitor use.
 7. Nothing shall compromise the integrity of the natural resources on the site.

8. The DNR reserves the right to move or replace any form of recognition. (Example: to protect recognition from vandalism, protect environment.)

B. Naming Rights Policy

1. The DNR shall be responsible for identifying or approving appropriate names for land, facilities, trails, accesses, features, or other items that should be named.
2. Existing land, facilities, trails, accesses, features, or other items currently possessing a name should not be renamed. The exception for this shall be those items which a new name could clarify location for public use (i.e.: renaming generic river accesses to help the public identify location).
3. Historic structures/features should not be named if they currently do not have a name. This would include all CCC/WPA structures or any other item on the National Register of Historic Places.
4. Employee recognition based on years of service should not qualify for a naming right unless the employee has made an outstanding contribution above and beyond normal job duties to the natural resources. Review by an internal management committee shall make final recommendation to NRC for any naming rights regarding employee service recognition.
5. If a negotiation regarding a donation of land to the DNR is contingent upon the donor requesting a naming right, the DNR will ~~respect~~ consider that request at the time of NRC approval. When reviewing land acquisitions (no donation involved) that have stipulations attached for naming rights, the NRC will simply consider and determine the request and approval of the purchase on its individual merits. DNR staff will be responsible for making a recommendation on each property to the NRC. The same applies to a deed that has a naming right request in it.
6. Memorials, whether cash or materials/structures, will not have "automatic naming rights" for the donation received.
7. Entities which donate a significant contribution to a capital improvement project or new development may negotiate with DNR regarding naming rights subject to approval by the NRC. (Example: Honey Creek Destination Park.)
8. Individuals who have demonstrated outstanding contributions to conservation efforts, programs, leadership, or history may be recognized by naming areas or features under DNR's public trust, so long as all aspects of this entire policy are considered and unanimous support of the NRC is received.

C. Physical Recognition Policy:

1. Thank You Letters: All donation items accepted by the NRC receive a thank you letter from the Department after the commission ~~meets~~ officially approves them.
2. Land Signs: Signs may be erected with "names" that may be associated with the donated land or DNR acquisition tract or parcel. In areas, such as parks, signs will not be erected unless the new land parcel contains

features or activities that are not normally associated or identified in parks which would confuse the public. Brochures/park maps may, however, identify the newly acquired property by the agreed upon name.

3. Memorial Plaques: Plaques shall be placed on or at the structure which was purchased or constructed in its entirety "in memory of" by an individual, family, business, etc. The plaque may be placed in an alternate location if the DNR deems that there is a safety hazard, vandalism problem or if the recognition can be better viewed elsewhere. (Example: a tree memorial may have the recognition placed elsewhere than on the tree(s).)
4. Fundraising Project Recognition
 - a. Sign - A temporary sign may be placed at a project location showing the fundraising donors. The donors shall be categorized based on contribution. All names ~~may~~ should be the same size regardless of the donation made. The DNR shall approval all signs prior to installation. The signs shall be taken down six months after the project has been completed.
 - b. Plaque – a significant fund raising project may have a permanent plaque placed in, on or at a project location recognizing all donors. The donors may be categorized based on contribution size. All names ~~shall~~ should be the same size regardless of the donation made. DNR shall approve all plaques prior to ordering.
5. Employee Service – a recognition wall/board displaying employees with outstanding years of service may be erected in an appropriate location. (Example: a recognition wall in the DSM office for all central office recognitions.)
6. Partnership recognitions are often captured in recognition of their funding of individual projects such as land acquisition funding sources or donations of equipment. However, the following recognitions are also important ways to recognize and are given the following policy guidance:
 - a. Sign - a permanent or temporary sign may be placed at a project location highlighting cooperating entities. All partners' names ~~may~~ should be the same size regardless of contribution to the project. DNR shall approve all signs prior to installation.
 - b. Plaque - a permanent plaque may be placed at the project location highlighting cooperating entities. All partners' names ~~may~~ should be the same size regardless of contribution to the project. DNR shall approve all plaques prior to ordering.

D. Policy for Signs/Plaques/Boulders/Other Markers

1. No faces or profiles shall be put on any signs, plaques, boulders or other markers.
2. Location – Location of signs, plaques or other markers shall be determined by the DNR. Most locations will be in, on, or near the structure.

3. Sizes – a uniform size guide shall be developed for DNR use when ordering appropriate physical recognition signage. The sizes shall complement the structure where the plaque, sign or other marker is to be located.
 - a. Plaques
 - b. Facility "name" signs
 - c. Other recognition signs
4. Boulders or Other Markers – natural rock boulders with plaques or other markers are recognized as an appropriate recognition tool in certain instances. Appropriate areas for boulders could include wildlife areas, wetlands, forests and trail heads. When deciding to use this type of recognition for an individual or organization, the aforementioned recognition policy will give guidance to the conditions, location, and approval of such markers.

Discussion ensued regarding various aspects of the donation policy. Designating levels of donation recognition was talked about. Commissioner Moore pointed out that from personal experience, that no matter what is put in a donation policy, there will always be an exception that come up.

Motion was made by Commissioner Moore to approve the Donation/Recognition Policy. Seconded by Commissioner Kramer.

Commissioner Garst commented that if the goal is to get more donations, it is important to have a way to measure them. She asked that information be compiled that shows how many acres of conservation easements were donated in 2005; how many acres of recreational land, how many acres in fee title, number of acres, dollars, etc. to measure if effective and to use as a tool to ask for non government entities to contribute to our mission. Garst added that first we must measure and recognize and then encourage donations.

Linda Hanson indicated that staff does keep track of donations and can provide that information. She noted that Mike Brandrup is preparing an improved policy on donations of land and is preparing a brochure with this information.

Motion carried unanimously.

DONATION AND RECOGNITION POLICY APPROVED

GENERAL DISCUSSION

Commissioner Garst asked for information on how many conservation easements the department possesses. Linda Hanson offered to e-mail her that information

Commissioner Garst asked who is in charge of enforcing any restrictions when conservation easements are accepted. She said that it seems the department is casual about who is responsible for enforcement, but noted there is a legal obligation to follow through to see that the land is being managed appropriately.

Director Vonk responded that this may be one the weaknesses of the conservation easements. He said that while this is not a huge issue, the department should move forward to do required monitoring.

Commissioner Garst asked that the Comprehensive Wildlife Plan actually shows the results. For instance, it should show many acres of land had been protected relative to the goal.

A report will be prepared for presentation at the May meeting.

Commissioner Garst reported that she and EPC Commissioner Donna Buell had discussed sustainable funding for the department. She proposed that the EPC and NRC meet jointly to talk about sustainable funding -- to ascertain what the commissioners feel should be done or perhaps appointing a study group of partners to develop a plan.

Director Vonk stated that while meeting and talking is good, funding is about priorities. He said outside organizations, such as the Sportsmen's Alliance is going to have to come forward. He offered to bring to the commission past proposals of where needs are. Vonk added that this is a private lands state and we are tragically under represented on lands for recreation.

Commissioner Schneider noted that there are all different types of easements and staff must look at different needs within budget limit. She questioned if this commission wants to engage in that.

Commissioner Garst offered to wait but asked that before the next legislative session, that the commissions meet with people with opinions from outside of staff and plan a seminar on ideas for sustainable funding.

Director Vonk pointed out the difficulty with funding and time limitations of commissioners. He offered to help Commissioner Garst and EPC Commissioner Donna Buell put together a structure for participation in a seminar with inclusion of the Alliance and other organizations.

NEXT MEETING DATES

There will need to be a telephone meeting in April to approve a few items. Next regular meeting will be May 11 at Waubonsie State Park.

ADJOURNMENT

Motion was made by Commissioner Francisco to adjourn the March 9, 2006 NRC meeting. Seconded by Commissioner Kramer. Meeting adjourned at 12:25 p.m..

Jeffrey R. Vonk, Director

Janice Marcantonio, Chairperson

Randy Duncan, Secretary

Index

A

Adjournment, 56
Aggregate Materials, Jackson Co. Sand and Gravel Permit, 9
Agreement with Hungry Canyons Alliance, 46
Aldo Leopold WMA, Bremer Co. Land Acquisition, 2
Algific Slope Area, Fayette Co. Land Acquisition, 4
Appeal of Proposed Decision—Joseph W. Gorski, 47
Approve Agenda, 1
Approve Minutes, 1

B

Bat Roost Survey Contract, 45
Beeds Lake Concession Contract, 43
Boating Speed and Distance Zoning, Ch. 40--Final, 38
Bremer County, Aldo Leopold WMA Land Acquisition, 2
Buchanan County, Cedar Rock Land Acquisition, 3

C

Call to Order, 1
Cedar Rock, Buchanan County Land Acquisition, 3
Concession Contracts
 Beed's Lake State Park, 43
Conservation and Recreation Donations., 48
Contested Case Hearings
 Joseph W. Gorski, 47
Contract with ISU—Effects of Commercial Harvest of Shovelnose Sturgeon, 46
Coralville Lake/Hawkeye WMA, Johnson County Land Acquisition, 5

D

Deer Hunting by Residents, Ch. 106--NIA, 26
Director's Remarks, 2
Donation/Recognition Policy, 49
Donations
 Conservation and Recreation, 48
Duey, Bill, Public Participation, Honey Creek, 15

F

Fayette County, Algific Talus Slope Area Land Acquisition, 4
Final Rule
 Chapter 40, Boating Speed and Distance Zoning, 38
 Chapter 61, State Parks and Recreation Areas, 40
Furbearer Trapping Seasons, Ch. 108--NIA, 35

G

Game Harvest Reporting and Landowner-Tenant Registration, Ch. 95--NIA, 20
General Discussion, 54
Gorski, Joseph W. Contested Case Hearing, 47

H

Hallett Materials, Polk Co. Sand and Gravel Permit, 9
Hawkeye WMA, Coralville Lake, Johnson Co. Land Acquisition, 5
Honey Creek Destination State Park—Intent to Negotiate, 11
Honey Creek Destination State Park-Outside Counsel, 11
Hungry Canyons Alliance Agreement, 46

I

ISU Contract, Sturgeon, 46

J

Jackson Co., Aggregate Materials Sand and Gravel Permit, 9

Jackson County, LaSoya WMA Land Acquisition, 4

Johnson County, Coralville Lake/Hawkeye WMA Land Acquisition, 5

K

Kness, Kevin--Public Participation, Honey Creek, 15

L

Lake View Off-Highway Vehicle Park, 44

Land Acquisition, 2

Aldo Leopold WMA, Bremer County—Rundle, Warthan and Duffy, 2

Algific Talus Slope Area, Fayette County—Eric and Cindy Boehm, 4

Cedar Rock, Buchanan County—Kremer Exchange, 3

Coralville Lake/Hawkeye WMA, Johnson County—U.S. General Services Administration, 5

LaSoya Wildlife Management Area, Jackson County—Job's Trust, 4

Landowner Incentive Program Project, 44

LaSoya WMA, Jackson Co. Land Acquisition, 4

M

Members Present, 1

N

Next Meeting Dates, 55

Notice of Intended Action

Chapter 106, Deer Hunting by Residents, 26

Chapter 107, Rabbit and Squirrel Hunting, 34

Chapter 108, Furbearer Trapping Seasons, 35

Chapter 52—Wildlife Refuges, 15

Chapter 91, Waterfowl and Coot Hunting Seasons, 17

Chapter 95, Game Harvest Reporting and Landowner-Tenant Registration, 20

Chapter 98, Wild Turkey Spring Hunting, 23

P

Polk County, Sand and Gravel Permit, Hallett Materials, 9

Public Participation

Bill Duey, Honey Creek, 15

David Taylor, Honey Creek, 15

Greg Schjodt, Honey Creek, 15

John Tevis, 23

John Tevis, Honey Creek, 23

Kevin Kness, Honey Creek, 15

Laverne Woock, rules, 22

R

Rabbit and Squirrel Hunting, Ch. 107--NIA, 34

S

Sand and Gravel Permits, 9

Schjodt, Greg--Public Participation, Honey Creek, 15

State Parks and Recreation Areas, Ch. 61--Final, 40

Summerset State Park 28E Agreement, 9

T

Taylor, David--Public Participation, Honey Creek, 15

Tevis, John--Public Participation, Honey Creek, 23

W

Waterfowl and Coot Hunting Seasons, Ch 91--NIA, 17

Wild Turkey Spring Hunting, Ch 98--NIA,
23

Wildlife Refuges, Ch. 52--NIA, 15

Woock, Laverne--Public Participation,
wildlife rules, 22